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**ABSTRACT**

The major concerns on legislative action affecting higher education in the Southern states is contained in this report. The dispatches were prepared for the Southern Regional Education Board by professional journalists. The contents include state-by-state highlights, listings of the SREB legislative correspondents, and indepth examinations of each state's legislative action. The states included are: Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, and South Carolina. (Author/Pg)

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SUMMARY OF STATE LEGISLATION  
AFFECTING HIGHER EDUCATION IN THE SOUTH, 1974

Prepared as a service of the  
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This publication contains reports on legislative action affecting higher education in the Southern states which held regular or special legislative sessions this year. The dispatches were prepared for SREB by professional journalists; any opinions expressed are those of the individual writers, not SREB.

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## STATE-BY-STATE HIGHLIGHTS

### FLORIDA

State universities received more than \$41.5 million in additional general revenue. Governor Reubin Askew vetoed an enrollment limitation bill and another bill which would have required prior legislative approval before the Regents could establish any new school or program. To stop an enrollment padding controversy, the legislature passed restrictions designed to limit state funding for graduate programs and individual students.

### GEORGIA

Veterinary medicine was the most controversial issue in the 1974 Georgia General Assembly. The Board of Regents gave the go-ahead on a new vet school facility and Governor Jimmy Carter vetoed a bill to establish a statutory advisory board to the admissions board of the College of Veterinary Medicine at the University of Georgia. A controversy arose over an appointment to the state-at-large seat on the Board of Regents, which resulted in the approval of Lamar Plunkett. The legislature did not succeed in line-iteming the budget of the State Board of Regents for the University of Georgia system.

### KENTUCKY

A prolonged debate arose over establishing a new veterinary medical school. "Murray Vet Bill" supporters hoped to establish a school at Murray State. However, the education council reported that Kentucky did not need a new school. At the education council's request, the general assembly delayed a decision until the 1975 legislative session. The budget provided \$340.8 million in operating funds and also \$3 million for a student loan program and \$3.3 million for area regional health centers. Governor Wendell Ford announced allocations of nearly \$18 million of surplus state funds for higher education projects.

### LOUISIANA

The major concern of this year's session went to the provisions of the new state constitution, which goes into effect January 1, 1975. It provides for five governing boards, instead of the present three and represents a compromise in a bitter power struggle between Louisiana State University supporters and those of other colleges. In other action, the legislature appropriated \$171 million in state funds, \$19 million more than during the previous year.

## MARYLAND

Maryland experienced primarily a holding session due to a tight lid clamped on new spending programs by Governor Marvin Mandel and a reluctance to make changes until the Governor's Commission on the Structure and Governance of Education in Maryland makes its report next year. General fund appropriations increases generally ranged from five to ten percent. State aid to private colleges was nearly doubled from \$2.9 million to \$5.4 million while the legislature agreed to reduce the University of Maryland general fund appropriations by \$1.7 million, applying \$1.4 million of that savings to hold the line on tuition for in-state students. A decision not to revamp the state scholarship program cost Maryland \$1 million in federal scholarship funds next year.

## MISSISSIPPI

The legislators of this big-spending session approved over \$120 million for college operations and construction from general or revenue sharing funds; created a veterinary medicine school; authorized funds for a new dental school; and conferred university status on five state colleges. A brisk controversy occurred between State College Board President Thomas Turner and Governor Bill Waller when the governor vetoed \$2.3 million in library and research funds from the general support bill. A proposal to reorganize the 12-man college board passed the house but died in the senate committee.

## NORTH CAROLINA

A significant expansion of East Carolina State Medical School, which was opposed by the UNC Board of Governors, highlighted the 1974 legislative session. The expansion measures included: plans to double the class size; the addition of a second year class; and \$15 million for a basic science building. The General Assembly also approved allocation of \$28 million to fund nine Area Health Education Centers. Total higher education appropriations reflected a \$5 million increase for the UNC system, \$10 million for its branches and about \$6 million for the community colleges.

## SOUTH CAROLINA

A decade of controversy ended with approval of a second state medical school at a Veteran's Administration facility in Columbia. The legislature appropriated \$391,000 for the first year's operation and the Veteran's Administration will provide \$19.8 million to South Carolina for the first seven years' operation. In other actions, Winthrop College was made coeducational permanently; the legislature broadened the provisions for scholarships to dental and medical students; and in-state tuition laws were relaxed. Appropriations for state colleges and universities increased by \$20.5 million for 1974-75.

## TENNESSEE

The major controversy over establishing a new medical school at East Tennessee State University culminated in passage of a bill, overriding the governor's veto, which directed the Board of Regents to plan the medical school and seek federal funds to help finance it. In other developments, the legislature again overrode Governor Dunn and restored his vetoed \$2.1 million to the higher education appropriations. The legislators approved: \$23.2 million for new construction on state campuses; a position for a student representative to the University of Tennessee Board of Trustees; a state-financed residency program for primary health care physicians in doctor-short areas; and the establishment of a veterinary medicine school at UT-Knoxville.

## TEXAS

Texas legislators met to rewrite the state constitution, but failed to get the required vote for its approval. They had agreed to write "equal educational opportunity" into the new constitution and to provide more funds for buildings and capital improvements at colleges and universities. The proposed constitution would continue the Permanent University Fund as a source for the University of Texas and A & M systems, and would establish a State Higher Education Assistance Fund to provide equal appropriations to schools outside PUF. Delegates defeated a proposal to make the Coordinating Board, Texas Colleges and University System, a constitutional rather than statutory agency with specific power to curtail proliferation in new programs and schools.

## VIRGINIA

Highlighting the 1974 General Assembly's accomplishments was the move to curb future spending by strengthening the State Council of Higher Education. This effort at cutbacks partially reflects the impact of a report sponsored by the Higher Education Study Commission that stated Virginia's colleges waste much money because of sloppy management and empire building. Another notable action was the passage of the Godwin amendments which established that the General Assembly has the power to review broad policy decisions of the Council and that the individual colleges control the hiring of faculty members and the selection of students. A \$993 million state budget was approved for higher education, with general fund appropriations far behind what colleges asked.

## WEST VIRGINIA

Because the legislature was unable to reconcile the budget with the governor's estimates, for the first time in 40 years the session recessed without passing a budget. The proposed budget, which goes to special session for approval, was reduced from \$86.8 million to \$74 million by a conference committee. The legislature also failed to approve an expanded scholarship program and a tuition waiver for senior citizens and board employees. One bill that passed was an \$8.5 million bond issue for Marshall University to build a new sports complex.

1974 Legislative Correspondents

Mr. Al Fox  
The Birmingham News  
Birmingham, Alabama 35202

Mr. James S. Saggus  
The Associated Press  
Jackson, Mississippi 39206

Mr. Richard Allin  
Staff Writer  
The Arkansas Gazette  
Post Office Box 182T  
Little Rock, Arkansas 72203

Mr. Danny Hoover  
Reporter  
The Raleigh News and Observer  
Raleigh, North Carolina 27601

Mr. David Schultz  
Capitol Bureau  
Palm Beach Post  
State Capitol Building  
Tallahassee, Florida 32304

Levona Page  
Governmental Affairs Reporter  
The State  
Post Office Box 1333  
Columbia, South Carolina 29202

Nancy Lewis  
Higher Education Editor  
The Atlanta Journal  
72 Marietta Street, N.W.  
Atlanta, GA 30302

Mr. Fred Travis  
Nashville Correspondent  
The Chattanooga Times  
228 Capitol Building  
Nashville, Tennessee 37219

Mr. Richard Wilson  
Frankfort Bureau  
The Louisville Courier-Journal  
Frankfort, Kentucky 40601

Mr. Richard Morehead  
Austin Bureau  
The Dallas Morning News  
703 East 32nd Street  
Austin, Texas 78003

Mr. Ed Price  
Managing Editor  
The Morning Advocate  
Post Office Box 44212  
Baton Rouge, Louisiana 70804

Mr. Charles Cox  
Education Writer  
Richmond Times-Dispatch  
Richmond, Virginia 23261

Mr. Tom C. Stuckey  
Correspondent  
The Associated Press  
Post Office Box 1471  
Annapolis, Maryland 21404

Mr. Don Marsh  
City Editor  
The Charleston Gazette  
1000 Virginia Street  
Charleston, West Virginia 25330

**FLORIDA** David Schultz, Palm Beach Post

"But the Legislature imposed some tough restrictions on the spending discretion of the state Board of Regents..."

TALLAHASSEE... Florida's state universities weathered an enrollment-padding controversy and received more than \$41.5 million in additional general revenue appropriations from the 1974 session of the Legislature.

But the Legislature imposed some tough restrictions on the spending discretion of the state Board of Regents -- so stringent that Chancellor Robert Mautz asked Governor Reubin Askew to veto a bill requiring prior legislative approval before the Regents can establish any new college, school or program.

Mautz said the university system faced "additional legislatively directed change and decreasing support" from future legislatures unless educators can convince legislators and the public that the system is responding to changing conditions.

After an aide first indicated the governor would allow the bill to become law, the governor vetoed it on July 3 -- the final day for action on bills.

"The planning, analysis and change in academic programs in the State University System is a continuous year-round process," Askew said in his veto message. "Both the time when decisions need to be made and the nature of academic decision-making do not lend themselves to the legislative calendar or the legislative process."

### **Enrollment Padding Controversy**

The enrollment padding controversy arose during the session, when a House appropriations subcommittee disclosed what it said was evidence that some Florida State University officials were encouraging graduate students to enroll in the maximum number of courses (to assure a high level of state funding) and then to drop some of the courses shortly thereafter. FSU President Stanley Marshall ultimately submitted a report rebutting the substance of the allegations, but many legislators remained unconvinced.

The result was restrictions designed to limit state funding for graduate programs and individual graduate students, even though the dollars appropriated were about on a par with the pre-session recommendations of the governor. Several key legislators indicated they wanted the emphasis of university research programs shifted to solving state problems.



The appropriations bill mandated a reduction of 100 base faculty positions by June 30, 1975 -- a reduction which Mautz said probably could be accomplished through attrition and elimination of vacant positions without resorting to dismissals.

In general revenue dollars, the university system received a total appropriation of \$256,611,275 for operations and \$12,384,600 for capital outlay. The operating appropriation was an increase of \$41,525,441 over the appropriation for the prior fiscal year.

The community junior college system was appropriated \$145,837,011 for operations and \$3.5 million for capital outlay from the general revenue fund. This represented a \$24,607,677 increase for operations.

### **New Tuition Schedule Adopted**

Legislators failed to complete action on a resolution to veto the Regents' new tuition fee schedule for undergraduate and graduate students. The House overwhelmingly passed a resolution maintaining tuition at its current level, but the Senate failed to take up the resolution in the hectic final hours of the session.

The new schedule adopted by the Regents sets a fee of \$13 per credit hour for undergraduate courses and \$16.50 per hour for graduate courses. Out-of-state students will pay an additional \$24 per credit hour. Previously, a flat rate for in-state undergraduate students of \$190 per quarter was charged.

Traditionally, the Legislature sets the student fees, but a circuit court judge ruled after the 1973 session that the rates set by the Regents were valid unless vetoed by the Legislature.

The student assistance grants program got a \$700,000 increase in general revenue appropriations for a total state share of \$4.3 million. Another \$523,000 in federal funds is anticipated for the program of direct grants based on need and scholastic promise.

### **Enrollment Limitation Vetoed**

The Legislature, which counted Florida's rapid, unchecked growth as one of its prime concerns for 1974, passed a bill limiting the enrollments at the nine universities. The University of Florida (Gainesville) will be capped at 28,000 students; Florida State University (Tallahassee), the University of South Florida (Tampa), and Florida Technological University (Orlando), 25,000 each; Florida A & M University (Tallahassee), The University of West Florida (Pensacola), Florida Atlantic University (Boca Raton), and the University of North Florida (Jacksonville), 15,000 each; and Florida International University (Miami), 15,000 on each of its two campuses.

The enrollment limitation, however, fell victim to the same Askew veto which killed the restriction on new programs. The governor said he favored the enrollment limitation and would urge the Board of Regents to implement it by administrative action, but he could not limit his veto to only one portion of a bill under the Florida Constitution.

A bill permitting the use of credit cards to pay for tuition and dormitory fees was approved, with a controversial amendment allowing student governments to determine the allocation of student activity fees subject only to a veto by the university president, who then could reallocate the money only to student health, intercollegiate athletics or financial aid bonds. Mautz asked the governor to veto the bill, contending it would erode the presidents' fiscal authority, but Askew rejected the argument and signed the bill.

### Several Bills Defeated

Bills requiring that students be appointed to the Board of Regents and the community college boards of trustees were defeated, with opponents contending there was nothing to prohibit the governor from appointing students under existing law.

A bill establishing a uniform policy for public access to the personnel files of faculty members at all levels of public education passed the Senate but was narrowly defeated in the House. The bill would have made personnel files open to public inspection -- as are the files of all other public employees -- but would have provided confidentiality for individual evaluations of faculty members by students and peers. Before the session, the State Cabinet, sitting as the State Board of Education, rejected efforts by the university and community college systems to limit access to all personnel records reflecting performance evaluation.

### \$1 Million to Florida A & M

The Regents were authorized to allocate up to \$1 million to facilitate compliance with a plan to complete the desegregation of the formerly all-black Florida A & M University.

The Legislature also appropriated a total of \$4,137,000 for the possible acquisition of the privately funded New College in Sarasota, an innovative institution which opened in the mid-1960's, but which has fallen on hard times financially. The college administration has been negotiating with the state for a purchase of the physical assets and absorption of the college into the state system as an upper division and master's program institution.

Another \$305,202 was appropriated for establishment of a branch of the University of South Florida in the Fort Myers area, and \$100,000 was earmarked for research at the solar energy laboratory at the University of Florida.

A bill authorizing the University of Florida to construct a \$4.5 million parking facility at the J. Hillis Miller Health Center passed the Legislature, but the head of the state Department of General Services asked for a veto because it bypasses his agency in reviewing the construction plans, selecting architects and negotiating contracts. But the governor rejected the veto request and allowed the bill to become law without his signature.

"... the budget increased slightly more than the 3.5 percent increase state-wide." ATLANTA... The things that didn't happen for higher education in the 1974 Georgia General Assembly were the most significant:

+++ The legislature didn't succeed in line-iteming the budget of the State Board of Regents for the University System of Georgia, despite a move to this type of appropriation for the rest of state government.

+++ Governor Jimmy Carter didn't allow a controversial bill to become law which would have established a statutory advisory board to the admissions board of the University of Georgia College of Veterinary Medicine.

+++ The legislature didn't even have a chance to vote on a bill which would have added a student member to the 15-member Board of Regents.

+++ The 1974 session didn't fund the increase it voted in grants to Georgia students attending private colleges--up to \$600 from \$400. But the bill did add graduate and professional students to those eligible for the grants, beginning with the fall 1974 quarter.

+++ The state Senate didn't confirm one of the governor's appointments to the Board of Regents, a 31-year-old Brunswick attorney, James Bishop.

+++ And the legislature still didn't vote approval of a bill allowing the sale of alcoholic beverages on college campuses.

The increase in appropriations for the state university system was less than the average of state government--not counting the special capital funds the system got last year because of special revenue sharing funds.

If you do count those capital funds, there still was only a slight decrease in the appropriation this year.

### **Legislative Accomplishments**

The legislature's major accomplishments were:

+++ Passage and partial funding of a scholarship-loan package for veterans;

+++ Creation of the State Incentive Scholarship Program along federal guidelines;

+++ Doubling of the number of days members of the Board of Regents may be reimbursed for board work--from 30 to 60 days--and increasing the per diem from \$20 to \$30; and

+++ Creation of veterinary medical scholarships under the existing critical health professions scholarship programs.

Undoubtedly the most controversial piece of higher education legislation considered in the 1974 40-day session was that affecting the state's veterinary medical school.

### **"Whether a Boy Loves Beef Cattle"**

A quartet of rural senators, including the president pro tempore and the chairman of that house's University System Committee, sponsored this piece of legislation aimed at getting more veterinarians for rural areas of the state.

The sponsoring senators insisted that students should be considered for the school "on more than scholastics" and one suggested that "whether a boy loves beef cattle" should be a criterion for admission.

The senators demanded that more "Georgia boys" be admitted, specifically attacking the increasing number of female students and the compact Georgia has through the Southern Regional Education Board (SREB) to provide spaces at the veterinary medical college for students from Virginia, Maryland, North Carolina and South Carolina.

The sponsors proposed a five-member board of admissions--replacing the present faculty board--to be composed of the presidents of the Georgia Cattlemen's, Georgia Swine Breeders, Georgia Poultry and Georgia Veterinary Medical Associations and the dean of the college.

At the same time this bill was being considered by the Senate University System Committee, the House University System Committee revealed its conclusions from a six-month study of the Georgia school and recommended that a major new clinical facility--of 300,000 square feet--be built immediately. The House committee report said that only by increasing enrollment at the school would rural Georgians be better served.

After bitter debate on the Senate bill to create the special interest admissions board, the lone veterinarian in the Senate succeeded in having the board changed to an advisory status. The bill passed the Senate and the House substantially unchanged.

But Governor Jimmy Carter vetoed the bill, saying it had been a main purpose of his massive reorganization his first year in office to eliminate the proliferation of such statutory boards. He also decried the special interest group composition of the planned board.

But the matter didn't really end there. At the Board of Regents' first meeting after the adjournment of the 1974 session, the members gave the go-ahead on a new facility for the veterinary school.

In doing so the board moved the project forward from the 1976 fiscal year slot it had designated for the project. But really the jump forward was much greater, because the system received only about one-quarter the capital funds requested for 1975, creating a massive backlog of planned construction.

In approving the beginning of planning for a new 100,000 square foot, \$5 million facility for the veterinary medical college, the board also made possible the addition of 10 extra Georgia students (to make a total of 86 in each entering class) beginning in fall 1974. The commitment on the new clinical and teaching facility was needed to meet accreditation standards.

### Controversial State-at-Large Seat

The second most controversial higher education measure undertaken in the 1974 session centered on one of Governor Carter's nominees to a state-at-large seat on the 15-member Board of Regents.

The state senator who represents the district in which the at-large nominee lives threatened and succeeded in blocking the confirmation by invoking "senatorial courtesy," a legislative tradition in the Georgia Senate which allows hometown representatives control over the governor's appointments from their districts.

The governor then nominated former state Senator Lamar Plunkett, a member of the SREB Board and the former chairman of the Senate University System Committee, to the Board of Regents post and he was quickly confirmed.

Also confirmed for an at-large post was Columbus attorney Milton Jones, a former member of the House University System Committee. Atlanta's Jesse Hill, the first black named to the board to fill the Fifth Congressional District vacancy in May, also was confirmed by the Senate.

The same Senate University System Committee which dealt with the veterinary medical bill also, in effect, killed until 1977 the possibility of a student member being added to the Board of Regents.

In what sponsors of the bill called a "purely political" move, the committee voted to send the measure to a special study committee where it remained at the session's end.

Since the board is a constitutional board, and thus the addition of a member would require a constitutional amendment approved by Georgia voters in a regular general election, the issue cannot possibly be put on the ballot until the 1976 general election.

### Line Item Budgets Not Passed

But the constitutional stance of the Board of Regents is what saved its budget from being changed to line-item appropriations.

There long have been moves in the Georgia legislature to make the board more accountable for the ways it distributes its appropriation and it seemed that the statewide move to line-item budgets might fall also on the regents.

But since the state constitution specifically gives the board complete authority to run the university system, attempts to structure strictly the budget failed.

Therefore, as in previous years, the budget was allocated in lump sums arrived at through computations based on the number of credit hours being taught.

The 1975 appropriation of state funds for the university system is \$249,849,074, as compared to \$251,618,041 in fiscal year 1974. (Money generated through fees, research grants and other enterprises not included.) But the FY 1974 budget included \$11.765 million in capital outlay funds, including land purchase and renovation, that were made possible through special revenue sharing money.

Excluding those special funds, which were expected to be non-recurring, the budget increased slightly more than the 3.5 percent increase statewide.

The capital funds were the only funds radically reduced from last year's appropriation. In addition to the special funds, the system last year received approximately \$12 million in funds generated from the sale of bonds. A similar amount from bonds was all that was appropriated for 1975. And the Regents had asked for \$47.5 million in construction money, plus \$3.225 million in rehabilitation funds.

Included in the money appropriated to the Board of Regents is an allowance for five percent wage increases beginning in September (for an annual rate of about 4.2 percent).

But unlike other state agencies which will give every employee a five percent raise, Chancellor Simpson said the raises in the university system will be administered as they always have been--on a merit basis. Therefore, neither the pay raise last year or the one set for September, 1975, will assure university faculty, professional or classified personnel a pay increase.

Sponsors of the bill increasing the grants to Georgia students in private colleges in the state said they didn't expect the bill to be funded this session, but hoped it would be funded next year. It is expected to cost the state about \$2.25 million, based on projected costs at the \$400 rate for next year at \$4.5 million.

The scholarship-loan package for veterans was passed as a substitute for an often-delayed measure which would have given all Vietnam veterans up to \$150 per quarter as a partial scholarship. Cost of that program was expected to run \$5 million for four years.

The approved program allocated \$480,000 for veterans in addition to the \$400,000 appropriated to match \$400,000 in federal money for first-year students under the new State Incentive Scholarship Program, designed as the second tier on Basic Opportunity Grants.

Any veteran of any war is eligible for the scholarships, regardless of his class standing, if he meets other criteria. The loan portion of the package, not funded, would make special provisions for counting GI bill benefits in

computing need for guaranteed student loans made directly by the state.

A bill was not voted on which would have allowed faculty participation in pension plans other than the State Teachers Retirement System.

A bill which will reduce to in-state costs the fees charged military personnel attending state schools also was passed, but its effectiveness was delayed until the 1976 fiscal year. It is expected to be considered again at the 1975 legislative session.



**REVIEW Richard Wilson, The Louisville Courier-Journal**

"... higher education matters commanded only minimal and routine attention in Kentucky's 1974 General

FRANKFORT... Except for a prolonged and intensive effort to establish a state school of veterinary medicine, higher education matters commanded only minimal and routine attention in Kentucky's 1974 General Assembly.

While the sound and fury of higher education was over the veterinary school issue, the substance -- as usual -- related to money. The Blue Grass state's lawmakers basically approved continuation budgets for the seven state universities and one state college for the upcoming biennium beginning July 1.

Assembly."

The budget also provides \$3 million for a revolving student loan program and about \$3.3 million to create up to five area regional health education centers by 1976. State officials hope that the centers will become instrumental in luring medical, dental and allied health students toward rural area practices after their graduation.

The controversial veterinary school bill called for the school's location at Murray State University in southwestern Kentucky. Solidly backed by area agricultural interests and most western Kentucky legislators, the bill quickly hurdled a Senate committee and won Senate approval before finally dying in a House committee.

The bill's proposed \$30 million appropriation was deleted in committee, but its supporters still fought for the measure's passage. If they could get the school's authorization on the statute books, they contended, the advocates would push for its funding in the 1976 legislative session.

While the bill awaited action by the House State Government Committee, its supporters tried to rally support among committee members aligned with Kentucky's other regional universities to vote the measure to the House floor for action. But they could rally only five of a necessary eight committee votes.

Before the issue was finally resolved, it had aroused the recently-dormant regional competition for higher educational programs and provoked a serious threat to the newly-emerging coordinating and planning role of Kentucky's state Council on Public Higher Education.

**"The Murray State Vet Bill"**

The veterinary school question first surfaced last June (1973) when Murray State officials acknowledged that they were studying the state's need for a veterinary school. There was little question of their interest in locating

the school on their own campus. Other Kentuckians, however, maintained that the education council was the agency charged by law with determining Kentucky's overall higher educational needs.

Under existing state law, the education council determines the state's long-range needs in higher education and also reviews and approves creation of new graduate and professional school programs.

In anticipation of a veterinary school proposal from Murray -- or possibly some other Kentucky institution -- the education council in July initiated a study of the state's veterinary education and manpower needs. But no proposal was filed with the council prior to the beginning of the legislative session in early January.

In the session's second week, what became known as the "Murray Vet Bill" was introduced. The bill's supporters said the education council's review and approval for location of a veterinary school at Murray was unnecessary. They contended that authority for creation of new professional schools was ultimately a legislative responsibility.

The education council completed its study and released its findings a few weeks later. The report surprised and disappointed many of the agency's supporters, primarily because it lacked any specific recommendations on an issue that was becoming increasingly controversial. Otherwise it was acclaimed for its thoroughness.

The thrust of the report was that Kentucky did not need to create its own veterinary medicine school.

The study acknowledged that many areas of Kentucky needed additional veterinary services, and added that geographical distribution of existing services was the major problem. It urged exploration of at least two other options before consideration of construction of a Kentucky school.

The options were:

+++ Arranging for more Kentuckians to be admitted to veterinary schools through the state's existing contract programs with Auburn University, Tuskegee Institute and Ohio State University. [Through its contract program with the Southern Regional Education Board, Kentucky is allotted 16 spaces annually at Auburn and one space at Tuskegee. Up to five spaces a year are available at Ohio State.]

+++ Studying whether inadequate veterinary services could be eased by training and using veterinary technicians to relieve veterinarians of many routine duties. Morehead State University currently offers Kentucky's only educational program in this area.

Once the council report was released, supporters of the "Murray Vet Bill" quickly accused the agency of attempting to "usurp legislative prerogative." The University of Kentucky, generally considered the most logical site for any future veterinary school, also opposed the bill and was accused by the measure's supporters of selfishly meddling in the issue.

UK President Otis Singletary contended that UK's opposition stemmed from a lack of convincing evidence of the state's current need for such a school. He also maintained there was no assurance a Kentucky school would be economically beneficial for the state to fulfill needed veterinary services.

### "A Torrent of Vote-Swapping"

As the issue became more heated, council supporters--including some legislators and editorialists--contended the major question surrounding the issue was two-fold: Would the legislature let the council exercise the strong planning authority it gave the agency in 1972, or would lawmakers reserve the right to bypass the council on selected issues such as new programs supported by legislators closely aligned with home-area universities?

In a torrent of vote-swapping, the Senate virtually ignored these arguments, passed the bill 23 to 9 and sent it to the House.

There, a block of some 20 western Kentucky representatives began offering their votes on practically any issue of interest to other regions of the state in return for support of the vet bill. Meanwhile, the education council, sensing the bill was gaining momentum, met in special session and finally asked the General Assembly to delay any decision on the issue until the 1976 legislative session.

+++Authorization of a minimum of 10 state dental school scholarships of at least \$1,500 a year for Kentucky residents. The current program provides up to 10 scholarships with maximum grants of \$1,500.

+++ A waiver of tuition at state-supported colleges and universities for dependents of national guardsmen killed or permanently disabled while on active duty.

### Open Meetings Law

The legislature also approved a strong open meetings bill that will require the state schools' governing boards, as well as most other state and local public agencies, to hold public meetings. Most of Kentucky's state-supported higher education institutions already hold open board meetings. But with the exception of the University of Kentucky, they are not currently required by law to do so.

The budget provides \$340,879,100 in operating funds for the eight state schools, or only \$880,447 less than the education council's recommended two-year funding of \$341,759,547. The eight schools, which received about \$147.5 million in state funds for operations in 1973-74, will get \$164,456,200 in operating funds in 1974-75 and \$176,422,900 in 1975-76.

The operating funds will basically go toward continuation of existing programs, combatting inflation and providing 5.5 percent average annual salary increases

for most campus personnel.

No tuition increases are called for, but the budget does provide funding to compensate for lowering tuition \$25 in each of the next two years for full-time undergraduate Kentucky students attending the University of Louisville. Since the U of L, a former semi-private school, joined the state system in 1970, its residential tuition has been gradually lowered.

Under the new budget, Kentuckians will pay \$925 a year at the U of L in 1974-75 and \$900 the following year. Tuition for full-time undergraduate Kentucky residents at the other state schools ranges from \$390 to \$480 a year.

The education council had recommended \$100 a year reductions at the U of L. This reduction may still materialize because of an appendix to the state budget which earmarks an additional \$2.8 million for this purpose if anticipated state revenues for 1973-74 exceed current projections.

In addition to the institutional operating allocation, the budget also appropriates \$5,219,300 to the education council for 1974-76 operations and \$540,600 to the Higher Education Assistance Authority. About \$1.5 million of the council funding is to compensate for anticipated enrollment increases of less than 2 per cent on the state campuses over the next two years. These funds will be distributed to each school according to a formula based on full-time-equivalency student growth.

Higher education was also a major beneficiary of the state's federal revenue sharing dollars. Governor Ford held back distribution of these funds earlier and earmarked them in his 1974-76 budget for non-recurring expenditures.

Most of Kentucky's nearly \$138 million in accumulated revenue sharing funds was allotted for capital construction. Of this amount, nearly \$65 million went for campus construction projects, with another \$3.3 million in surplus state funds also earmarked for campus construction.

The largest revenue sharing grant of \$31 million went to the University of Louisville to support construction of a \$43 million teaching hospital-health complex in downtown Louisville. The new hospital, expected to be completed by 1978, will replace the more-than-50 year old Louisville General Hospital, now used by the U of L for teaching facility.

The remaining \$12 million for the new hospital's construction will come from bond issue sales already authorized by Louisville area voters.

### Regional Health Education Centers

The education council would also get \$6,326,900 in revenue sharing funds. Nearly \$3.3 million of this amount would finance implementation of the regional health education centers where medical, dental and allied health students would get practical training. An additional \$2 million would replace anticipated cuts of federal health programs funds, primarily capitation grants for medical, dental and allied health students.

Following is a breakdown of each state university or college's 1973-74 state funding, its general fund appropriation for operations for each of the next two years and capital construction:

+++ Eastern Kentucky University -- \$15,685,570 this year, would go to \$17,273,700 in 1974-75 and \$18,241,600 the following year.

+++ Kentucky State University -- The school's \$3,892,514 1973-74 appropriation would be increased to \$4,407,700 in 1974-75 and to \$4,783,200 in 1975-76. The school will also get a \$750,000 revenue sharing grant to renovate the campus heating plant.

+++ Morehead State University -- The school received \$10,103,224 this year and will get \$10,835,200 next year and \$11,504,200 in 1975-76. It will also get a \$450,000 revenue sharing grant to renovate its campus power plant and an additional \$750,000 to repair faulty construction of the student center. The latter funds would be repaid to the state if or when they are recovered by a lawsuit against the facility's contractor.

+++ Murray State University -- The current year's funding of \$11,519,840 would be increased to \$12,337,600 in 1974-75 and \$13,141,100 in 1975-76. The school will also get \$4 million in revenue sharing funds to renovate its heating plant and a \$1.5 million state grant to expand its library. Another \$1.8 million special grant is being appropriated to construct an on-campus West Kentucky Horse Center.

+++ Northern Kentucky State College -- The school's \$4,534,218 appropriation this year will be increased to \$5,925,900 in 1974-75 and \$6,367,100 in 1975-76. Additionally, NKSC will get \$12.3 million in revenue sharing funds to build a \$5.5-million fine arts building, \$5 million for a classroom building, \$1 million for a power plant, \$400,000 for a maintenance building and \$425,000 for campus parking and recreational facilities.

+++ University of Kentucky -- UK's \$68,573,830 1973-74 appropriation will be increased to \$74,265,300 in 1974-75 and \$79,463,600 in 1975-76.

### Research on the Biology of Aging

UK will also receive \$11.8 million in revenue sharing funds for four construction projects: a \$4.5-million Health Sciences Learning Center, a \$6-million technical institute, \$1 million in state matching funds for a Research Center for the biology of the aging, and \$300,000 to complete construction of a seed processing center.

UK is authorized to sell \$5.2 million in revenue bonds for a new fine arts building. Another \$3 million in state funds will be put into escrow to meet UK bonded indebtedness on its new 58,000-seat football stadium. Under the 1972 budget bill, up to \$150,000 was to be appropriated by the legislature annually for this purpose but interest from the \$3 million in escrow would replace this appropriation.

Through the state Department of Labor, UK will also receive \$250,000 to start a Labor Education and Research Center in its College of Business and Economics. UK will also undoubtedly be a primary beneficiary of \$3.7 million in state funds earmarked for energy research, and the school will eventually play its home basketball games in the new \$35 million Lexington Civic Center, which would receive a special \$4 million state grant.

+++ University of Louisville -- The school's 1973-74 funding of \$16,731,481 will be increased to \$21,821,300 in 1974-75 and \$24,122,200 in 1975-76. The \$31 million in revenue sharing money for hospital construction is the U of L's only construction grant.

+++ Western Kentucky University -- Western's \$16,505,873 1973-74 appropriation goes to \$17,589,500 in 1974-75 and \$18,799,900 in 1975-76. WKU will also get \$985,000 in revenue sharing money for renovation of an industrial technology building a music building and an industrial education annex.

Funding for three other higher education projects may become possible sometime during the next two years, depending on future availability of surplus state dollars. They are a \$3-million Allied Health and Nursing Complex at Eastern Kentucky University, \$750,000 to renovate a Morehead building and the \$2.8 million to further reduce tuition for Kentucky residents at the University of Louisville.

A perennial concern of many legislators -- the belief that qualified Kentucky students are losing spaces in the state's medical, dental and law schools to non-Kentuckians -- also came up in the 1974 legislative session. Two unsuccessful bills were introduced to remedy this alleged situation.

One of them, which passed the Senate and later died in a House committee, would have required that 70 per cent of the first year spaces in these schools be allocated according to population among the state's seven congressional districts. Another 15 per cent would be allocated to the state-at-large, with the remaining 15 per cent for non-Kentuckians.

The second bill would require each state university to admit qualified Kentuckians to their graduate and professional schools before admitting students from other states.

### Higher Educational TV Expansion Killed

An unexpected casualty of the legislative session was the state's embryonic effort to beam higher education courses state-wide over the Kentucky Education Television (KET) network. The budget eliminated funding for closed-circuit programming among the state schools and also restricted the network's state-supported air time to "adult and continuing education" courses. KET officials are seeking a ruling to determine if the adult and continuing education classification can also include certain higher education courses.

The higher education courses for credit were offered state-wide for the first time in the 1973-74 academic year. Nearly 700 persons registered for the nine courses.

Other bills which died in legislative committees included ones to tighten the confidentiality of student records, a two-term limitation for service on university governing boards and student membership on the higher education council. (Students and faculty members are already voting members of the state university and college governing boards.)

A collective bargaining bill for all public employees died in committee, as did a measure to set up primary geographical service regions for each state school. This bill was aimed at curbing unnecessary duplication of extension courses.

Also killed in committee was a measure that would have required Kentucky colleges or universities to charge non-residents the same tuition rate as their home states charge Kentucky residents. Exempted would have been states entering into reciprocal tuition arrangements with Kentucky.

#### ADDENDUM

This summer, Kentucky Governor Wendell Ford -- exercising authority delegated to him by the 1974 General Assembly -- announced allocation of \$73.6 million of an estimated \$125.0 million in surplus state funds to various state agencies. Nearly \$18 million of the allocations would go to various higher education projects.

The largest higher education allocation was \$12,565,000 to finance construction or renovation of buildings on seven state university or college campuses. New facilities financed by this allocation will be a \$5.6 million student center at Northern Kentucky State College and a \$3 million student health services facility at Eastern Kentucky University.

UL will use a \$1.3 million federal grant to finance part of the health facility's total cost. A \$2.4 million Central Steam and Chilled Water Plant will also be constructed at the University of Louisville.

Renovation projects will be at Morehead, Murray, Kentucky State and Western Kentucky universities.

Other surplus fund allocations will support these projects:

+++ \$2,847,050 to lower tuition to Kentucky residents attending the University of Louisville, another \$75 in each of the next two years. The funds will replace anticipated income lost by the UL through the tuition reduction.

+++ \$1.3 million was restored to the higher education council for distribution to the state schools according to a full-time equivalency enrollment formula for enrollment growth.

+++ \$600,000 to the education council to finance studies and consortia in graduate education and educational television.

+++ \$310,000 to the Kentucky Higher Education Assistance Authority to finance a State Student Incentive Grant Program. The new grant program, which state planners hope will receive matching federal funds, is intended to provide cash grants of up to \$1,000 a year for low income students attending public or private colleges or universities in the state.

+++ \$184,300 to the various state schools to cover increased costs under the wage and hour legislation recently passed by Congress.

+++ \$79,000 to the University of Louisville to complete state replacement of local governmental contributions to the university. (The UL is a former municipal university which became part of the state's higher education system in 1970.)

+++ \$72,000 to the University of Kentucky's branch community college in Southwestern Jefferson County (Louisville) to expand science programs.



**LOUISIANA** Edwin W. Price, Jr., Baton Rouge Morning Advocate

"Except for the annual funding problems of higher education, most 1974 legislation on education was perfunctory..."

BATON ROUGE... Major attention in Louisiana education circles this year is going not to legislative action but to provisions of the new constitution, which goes into effect January 1, 1975.

Except for the annual funding problems of higher education, most 1974 legislation on education was perfunctory, awaiting special session action to implement the new system for governing higher education.

On the fiscal front, the Legislature appropriated some \$19 million more to operate higher education for the 1974-75 fiscal year than during the previous year. An \$11 million increase went to the Louisiana State University system and \$8 million more was divided among the universities under the State Board of Education.

In all, just over \$171 million in state funds was voted for higher education for the 1974-75 year, but the \$19 million increase amounted to only half of the total increase sought by all colleges and universities.

Some \$47 million in self-generated and federal revenues -- about the same as the preceding 12 months -- will provide higher education with a grand total of \$218.2 million for the current fiscal year.

Little legislative attention was paid to the problem of a unitary system in higher education resulting from predominantly black and predominantly white institutions. Nothing was done since the state's attorney general was forwarding in court the legal argument that the present system is constitutional since persons of any race may enroll at any state university of their choice.

### **Five Boards Instead of Three**

Under the new constitution, education will be governed by five boards instead of the present three, with a board of regents over higher education; a governing board for Louisiana State University; a governing board for Southern University; a governing board for all other state colleges and universities; and a board for secondary and elementary education.

Members of the present LSU Board and Board of Education may elect to serve out their current terms on one of the new boards, under procedures "to be established by the Legislature." This leaves the mechanics, and to some extent the powers, of the new governing system up to the legislature. The governor plans a short

special session in October and November to consider some essential transition legislation, and the set up of the new education boards is one of those essential matters. A longer special session will begin in January to complete transition to the new constitution, and any loose ends left in November will be tied up then.

Another question has been posed by the attorney general, who says the new constitution does not establish the education governing boards in any one of the three branches of government, and there is some debate about how and where they can be set up.

There is considerable jockeying for position in higher education circles. The present State Board of Education, which now governs both elementary and secondary education and all universities other than LSU, has considered a legislative plan which would weaken the power of the Board of Regents considerably. The plan has not yet been officially adopted by the board, however.

### **Bitter Power Struggle During Convention**

During the Constitutional Convention, the five-board system was adopted as a compromise in a bitter power struggle between LSU backers and those of other colleges. LSU supporters fought to retain the LSU Board as a constitutional entity, arguing that any other plan would endanger the university's status. Delegates then went along with Southern University supporters in giving that mostly-black system its own governing board as well, and divided the present powers of the State Board of Education to establish two more boards.

The Board of Regents is envisioned as the major power in higher education, with financial control, and the other higher education boards are supposedly designed only for governance of campus and system affairs. But the Legislature has a great deal of latitude in providing for the powers and duties of the boards and political infighting between colleges and universities could greatly influence the future course of higher education in the state.

The fall special session presumably will enact enough legislation to permit the new boards to start functioning on January 1, but the real impact of the new system will probably not be realized for some time to come.

### **\$88.7 Million Appropriated**

Here's how the various universities fared at the hands of the executive and legislative budget makers with final passage of the 1974-75 general appropriations bill:

\*Total for the entire LSU System -- \$88.7 million appropriated, \$11 million more than the previous year and \$7.7 million less than requested.

\*LSU-Baton Rouge -- \$36.7 million, up \$5.6 million and \$3.1 million less than requested.

- \*LSU-Alexandria -- \$1.5 million, no change and \$400,000 less than requested.
- \*LSU Medical Center -- \$17.9 million, up \$3 million and \$800,000 less than requested.
- \*LSU-Eunice -- \$1 million, no change from previous year and same as request.
- \*LSU Agriculture Center -- \$17.4 million, up \$1.3 million and \$1.4 million less than requested.
- \*University of New Orleans -- \$11.4 million, up \$700,000 and \$1.9 million less than requested.
- \*Total of Universities outside the LSU System -- \$82.5 million appropriated, up \$7.9 million and \$10.4 million less than requested.
- \*Total of Southern University System -- \$15.1 million appropriated, up \$800,000 and \$2.1 million less than requested.
- \*Southern Baton Rouge -- \$11.5 million, up \$600,000 and \$1.8 million less than requested.
- \*Southern New Orleans -- \$2.5 million, up \$100,000 and \$200,000 less than requested.
- \*Southern Shreveport -- \$1.1 million, up \$100,000 and \$100,000 less than requested.
- \*Nicholls State -- \$6.3 million, up \$800,000 and \$400,000 less than requested.
- \*Grambling -- \$5.4 million, up \$200,000 and \$300,000 less than requested.
- \*Louisiana Tech -- \$10.3 million, up \$700,000 and \$1.6 million less than requested.
- \*McNeese State -- \$10.1 million, up \$1.5 million and \$1.9 million less than requested.
- \*Northeast State -- \$10.1 million, up \$1.4 million and \$1.9 million less than requested.
- \*Northwestern -- \$8.7 million, up \$1.3 million and \$800,000 less than requested.
- \*Southeastern -- \$7.1 million, up \$700,000 and \$900,000 less than requested.
- \*Southwestern -- \$12.5 million, up \$900,000 and \$1.8 million less than requested.

The grand total for all universities showed \$171.2 million in state funds allocated for 1974-75, up \$19 million from those appropriated in 1973-74 but still about \$19 million less than all of the institutions had requested in their budgets.

Allocations were made this year according to a formula established by the Louisiana Coordinating Council for Higher Education, but LSU complains that the formula did not take into account the special services, such as research

and continuing education, which the university provides to the state. The recommended formula would have given LSU more money for this purpose, but only \$1 million extra was appropriated, and the university has announced that funds from its instruction allotment will have to be used to continue the various research and special education programs.

### **Guaranteed Student Loan Limit Increased**

The 1974 Legislature recognized the problems inflation is giving to students from moderate income families and increased the guaranteed student loan limit. It also passed bills providing tuition scholarships to several special classes of citizens -- children of firefighters, police officers and sanitation workers killed in the scope of duty. However, the solons did not recognize the financial burden this might place on the institutions and made no provision for reimbursing them for the scholarships, which provide tuition, room and board and books.

A bill to set minimum salaries for instructional personnel in public institutions of higher learning failed to pass, as did another scholarship bill, which would have appropriated money for scholarships to be awarded by presidents of the various universities. The legislature authorized several interim studies on the need for additional colleges in various areas of the state.

Medical education came in for a good deal of legislative attention, and a number of bills proposing scholarship and incentive programs to induce Louisiana-educated doctors and nurses to remain in the state and practice were considered, but none received final passage. The plans ranged from a local grant program, partially financed by state funds, to a \$5,000 annual tuition for all students at the LSU medical schools, which could be paid by practicing in designated areas of the state for set periods of time. Proponents of this kind of legislation are making further studies and planning to bring the idea back before the legislature in the future.

A \$45,102,000 bond issue for new construction and renovations at Charity Hospital in New Orleans was approved, and \$6 million for improvements to Confederate Memorial Medical Center at Shreveport. Both hospitals are teaching facilities of the LSU Medical School and the improvements will enable the schools to maintain their accreditation and to accept additional students for training. The legislature also approved legislation designating Charity as a teaching institution, which permits granting of para-medical degrees to students in various medical technician programs at the hospital.

**MARYLAND** Tom C. Stuckey, The Associated Press

"...a 90-day session  
which many Maryland  
education officials  
considered to be  
something of a  
holding session."

ANNAPOLIS... The 1974 Maryland General Assembly extended a financial helping hand to the state's private colleges and took what many legislators felt was a significant step toward imposing more legislative control over the University of Maryland budget. The legislature refused, however, to revamp the state scholarship program, a decision which will cost Maryland \$1 million or more in federal scholarship funds next year.

Those were the educational highlights of a 90-day session which many Maryland education officials considered to be something of a holding session.

**"Tight Lid Clamped on New Spending Programs"**

Two factors contributed to the death of innovative, far-reaching legislation in the field of higher education. One was the tight lid clamped on new spending programs by the governor, who, with enthusiastic support from the General Assembly, refused to even consider a tax increase in an election year. The second was a general reluctance to make any administrative changes until the Governor's Commission on the Structure and Governance of Education in Maryland makes its report.

The commission was appointed in January, 1973, to take a look at Maryland's educational system and to report to the General Assembly and the governor on how education at all levels can most effectively be reorganized and governed. The commission is expected to make its final report by the middle of next year, and there is a general inclination in the State House to postpone any extensive changes of the educational system until then.

**Pear Commission Revises Aid Program**

The revision in the aid program for private colleges came as a result of the report of a committee appointed by the Maryland Council for Higher Education. That committee, chaired by Philip Pear, a member of the council, warned that a number of the state's 16 private colleges might not survive without financial help from the state.

The General Assembly, at the urging of the governor, accepted a Pear Commission recommendation that the current aid program, based on the number of degrees an institution awards, be scrapped. It will be replaced with a flat-grant program based on the number of full-time equivalent students at each college. State aid

will be calculated the first year on the basis of \$243 per student, which is 15 percent of the current state per-pupil expenditure at public colleges. The per-pupil aid will remain at the 15 percent level, and total aid will automatically increase as the level of state support for public colleges increases.

The effect during the 1975-76 school year, when the new program becomes operative, will be to increase state aid to the private colleges from the current level of about \$2.9 million to about \$5.4 million.

### **More Legislative Controls over U of M**

The fight over the University of Maryland budget came as a result of probably the most concerted effort yet by critics of the university's budgetary practices to impose tighter legislative control over spending for higher education. The university exercises a great degree of fiscal autonomy, and the General Assembly traditionally has done little more than rubber stamp the appropriation contained in the governor's budget.

### **Deep Probing into University Budget**

But with its own fiscal staff greatly expanded in recent years, the legislature has begun to probe more deeply into the university budget the last two or three sessions.

The stage was set for this year's battle when the regents proposed an across-the-board tuition increase for the 1974-75 school year which would raise the fixed fees for in-state students from \$560 to \$610 annually. Proposed tuition hikes ranged as high as \$280 for out-of-state dental students.

Aides to the General Assembly's two fiscal committees recommended that at least \$1.4 million be trimmed from the university's general fund appropriation, that the money be transferred to special funds and that the regents be asked not to increase tuition for Maryland residents.

The board of regents, in keeping with the General Assembly's directive, agreed to roll back the \$50 tuition increase for in-state students. They decided, however, to go ahead with the \$50 increase for out-of-state students.

After an extended battle between the house and senate, which at one point threatened to throw the governor's \$2.8 billion budget into a conference committee, the legislature finally agreed to reduce the university's general fund appropriation by \$1.7 million and to ask that \$1.4 million of the savings be applied to holding the line on tuition for in-state students. Because of the university's fiscal autonomy, the budgetary action was only a request which the regents were not required to accept.

Nevertheless, there was a widespread feeling among legislators that they had made a significant move in the direction of holding the regents more accountable for the way they spend the university's money.

Overall, higher education in Maryland suffered from the strict funding limitations imposed on all of state government by the governor. General fund appropriation increases, for the most part, ranged from 5 to 10 percent. Senator Steny Hoyer, a Democrat who is one of the University of Maryland's most vocal supporters in the legislature, complained repeatedly during the session that, with inflation taken into account, the university was really getting no more money than during the current year.

The following table shows the current budget for state institutions and the final appropriation for next year:

UNIVERSITY OF MARYLAND

	<u>1973-74</u>	<u>1974-75</u>
General	\$ 96,756,531	\$103,244,203
Special	52,964,700	55,942,711
Federal	2,206,086	2,439,148
Total	<u>\$151,927,317</u>	<u>\$161,626,062</u>

STATE COLLEGES

	<u>1973-74</u>	<u>1974-75</u>
General	\$36,268,125	\$38,190,300
Special	20,361,153	26,694,970
Federal	9,037,027	9,312,921
Total	<u>\$65,666,305</u>	<u>\$74,198,191</u>

ST. MARY'S COLLEGE

General	\$2,052,463	\$2,195,153
Special	986,615	1,105,438
Federal	45,000	45,000
Total	<u>\$3,094,078</u>	<u>\$3,345,591</u>

State aid to community colleges, which is based on 50 percent of the current per-pupil expenses, will drop from \$30,256,739 during the 1973-74 school year to \$29,186,400 during the 1974-75 school year. The state pays 50 percent of the cost of educating a student up to a maximum of \$700.

**"Bungling Bureaucrats with Ice Water in their Veins"**

The bill sponsored by the governor to revamp the state's scholarship program floundered once again in the senate. State senators parcel out some \$2.4 million in scholarship funds each year, and most are reluctant to turn that duty over to the bureaucrats. Typical of the opposition cited on the senate floor was the comment of Senator Frederick C. Malkus, a Democrat, who said he didn't want "bungling bureaucrats with ice water in their veins to administer this program."

Under the current system, each of the 43 senators gets \$14,500 to hand out to college students in amounts up to \$1,500 each. There are no standards other than academic to cover awarding of aid, including no level of financial need which must be met to make a student eligible for a scholarship. It is the lack of need as a requirement that will cause the loss of federal funds, according to Fred Spigler, Governor Mandel's aide for educational matters.

The bill as offered by the governor and then amended to try to win over some opponents would have abolished all existing scholarship programs totaling about \$4 million and would have replaced them with a consolidated \$5 million program to be administered by an 11-member board. The money would have been doled out to individual students on the basis of need in grants up to \$1,500.

In the area of student participation in the governance of higher education, the General Assembly enacted a bill to add two student members with full voting rights to the University of Maryland Board of Regents. The bill increased the number of regents from 13 to 15 to accommodate the students, who will be appointed by the governor to one-year terms. They may be reappointed if they continue as students. The students must come from different campuses. Several other bills and resolutions dealing with student members on other college boards were defeated.

Major capital improvement appropriations for the University of Maryland included \$6,592,000 for a new physical education building on the College Park campus, \$7,760,000 for an academic building on the Baltimore County campus and \$2,082,000 for a student development center on the Eastern Shore campus. The university's total capital appropriation was \$21,869,500.

Major appropriations for the state colleges included \$2,215,000 for an administration building at Bowie State College, \$2,205,000 for an administration building and \$3,466,000 for the Tawes College Center at Coppin State College, \$7,345,000 for a physical education building at Frostburg State College, \$2,200,000 for remodeling a classroom and faculty office building at Morgan State College, \$1,680,000 for a storm water system at Salisbury State College and \$1,508,000 for construction of athletic fields at Towson State College.



**MISSISSIPPI** James S. Saggus, The Associated Press

"Legislative JACKSON... The Mississippi Legislature created a  
leaders called veterinary medicine school and authorized funds for  
a new dental school in its big-spending 1974 session.

the session Lawmakers approved over \$120 million for operations  
and construction at the colleges and junior colleges,  
a good one all from general or revenue sharing funds, during  
the year beginning July 1.

for higher The general support bill touched off brisk controversy  
education..." between Governor Bill Waller and President Thomas  
Turner of the state College Board, formally the Board  
of Trustees of State Institutions of Higher Learning.

The governor vetoed \$2.8 million in library improvement and organized  
research funds from the general support bill before signing it at \$62,444,207.  
He cited tight finances and said excess money in other sections of the bill  
could be shifted by the board to cover any library and research needs.

Turner called this a "ridiculous statement" and added: "Our institutions  
have been on thin ice with their accreditation because of library deficiencies.  
We set out on a five-year program (five years ago) to improve libraries.  
We were supposed to get \$3 million for five years. It went through at  
that the first year..."

**"We Passed Some Significant Legislation"**

Other bills signed into law:

+++Conferred university status on the five state colleges.

+++Gave higher education \$60.6 million of the \$87 million in the major  
capital construction bill, including funds for a new dental school at the  
University of Mississippi Medical Center at Jackson.

+++And authorized a school of veterinary medicine at Mississippi State  
University.

Legislative leaders called the session a good one for higher education  
although Turner said he feared college accreditation might be endangered  
because of the lost library funds. "We passed some significant legislation,"  
said Representative Horace Harned of Starkville, chairman of the House  
Universities and Colleges Committee. "We would like to have gotten money  
for libraries and organized research, but the College Board will have to do  
the best it can to minimize the effect of not receiving these funds."

The original bill carried \$2,025,000 for library catch-up and \$750,000 for organized research. After these items were deleted by Waller, lawmakers passed separate bills to provide \$1.5 million for libraries and \$500,000 for research. But Waller vetoed these also.

The big college money bill carried \$60,940,888 in general support funds, \$1,247,922 for the board's Gulf Coast Research Laboratory, \$175,000 for matching Federal Sea Grant funds, and small amounts for specified purposes. The general support money compares with \$52.8 million in the current year. Harned said, "I think the increase in support is justified. We can now start developing higher quality educational programs."

Harned said among the most significant actions may be a small appropriation. "We gave the College Board an extra \$32,000 to formulate a master plan to eliminate unnecessary program duplications among the universities of the state," he said. "We hope this will improve the quality of education and allow more efficient use of our money."

### House-Senate Split Over Name Change Bill

The name change bill threatened to bring a House-Senate split before it finally became law. Under the measure, the new names are Alcorn State University, Delta State University, Jackson State University, Mississippi University for Women, and Mississippi Valley State University. Alcorn, Jackson State and Valley State are predominantly black schools.

Delta State had worked for university status for several years and its backers offered a bill affecting only that institution. Sponsors said Delta State already had graduate programs and that 47 percent of the faculty had doctorates. The other four colleges were covered in a second bill, and Harned said the College Board did not object to university status for all as "today there is practically no criteria for university status. This does no more than change the name." He said rejecting the second bill might hint at discrimination against the predominantly black schools, and a federal court might order the board to bring them up to some standard. "It might cost more to delay," he said. "It might save money to do it now."

The Senate put all five schools into the Delta State bill after hearing that Waller might sign the Delta State measure and reject the other. But Waller advised he would sign the overall bill, so the House accepted the Senate change. "I think the name change will help in the recruiting of both faculty and students," Harned said. "It will give their athletic programs a little more stature."

### Veterinary School Authorized

Lawmakers decided to authorize a school of veterinary medicine, to cost an estimated \$20 million, after a study showed Mississippi could expect a diminishing number of its students to be taken by schools in nearby states in future years. Only 18 are now admitted in any year.

The veterinary study committee received testimony that the state lost \$50 million last year because of large animal diseases and that there was a "critical shortage of veterinarians." The bill breezed through the House and Senate and Waller signed it last month. Sponsors said a \$146,500 appropriation would permit work to begin on hiring a faculty while pre-planning work is done by the state Building Commission on a permanent structure for the school.

The capital construction bill provided \$5 million in general and \$5 million in revenue sharing funds for the 16 public junior colleges, with the general fund dollars to be available only if matched by 25 percent in local funds. The junior college aid will be distributed on an enrollment formula to the schools, which are operated by local districts and not the state or the College Board.

Most of the other \$70.6 million in revenue sharing funds allocated by the bill went to the eight universities. Alcorn got \$3,594,206 for an administration and classroom building; Delta State \$3,289,119 for an educational building, \$2,170,267 for phase II of its science complex and \$682,574 for a physical education building; Jackson State \$5,592,507 for a science building and \$2,549,050 for a dining hall; MUW \$3,132,574 for a speech and communication center; MVSU \$453,514 for renovating its old library building for other uses and \$1,270,000 for renovating its assembly building; Mississippi State University \$3,819,528 for an electrical engineering building; the Cooperative Extension Service at Mississippi State \$4,501,850 for a new building; the University of Mississippi \$6,380,293 for a physical science building and \$4,290,000 for a law building; Southern Mississippi \$2,001,923 for a library addition and \$2,168,175 for a communications-speech-hearing sciences building; University Dental School \$8,313,233 for its permanent building; University Medical Center \$1,510,000 for specialized equipment; and Gulf Coast Research Laboratory \$125,000 for a research ship.

The inclusion of money for a new law building at Ole Miss may have signaled the end of efforts to set up a branch law school at Jackson, and efforts to establish another at Southern Mississippi. Bolstering that conclusion was another bill to let a Jackson suburb issue bonds for a building to house a law school at Mississippi College, a denominational college now buying the privately owned Jackson School of Law.

Lawmakers also approved another \$1.3 million in a separate bill to complete \$6.1 million in funding for the enlargement of the Southern Mississippi stadium from the present 16,000 seats to 35,600. The additional money, from revenue sharing funds, was needed because inflation had boosted construction prices.

Other major appropriations included \$7,495,000 for the University of Mississippi Teaching Hospital, \$7,255,882 for the university's medical school, \$500,990 to begin operations at its dental school, and \$845,872 for its school of nursing.

## Board Reorganization Proposal Failed

A new effort was launched at the 1974 session to reorganize the College Board, now composed of 12 regular members serving staggered 12-year terms. Under the system, an incoming governor has four appointments. The House approved a reorganization proposal cutting terms to eight years and staggering them so each governor got six nominations scattered over his term. Representative Ben Owen of Columbus, where MUW is located, said, "12 years is just too long. If a member doesn't get senile, he gets disinterested." But Representative A. C. Lambert of Tupelo countered with: "This is a bill made up by a bunch of meddlers who could not run the University of Mississippi (during the desegregation troubles of a decade ago). The College Board faced all the problems...and they have stood the test of time." Representative Clarence Morgan of Kosciusko reminded that the long terms were set up to insulate the board from politics, and he said they had accomplished this. The proposal died in the Senate Universities and Colleges Committee.

The Senate passed a bill to set up a program of tuition grants to students at private colleges. Backers said these students had higher costs and saved the state much more than the proposed grants by not attending state schools. The bill proposed \$375 a year to those in private senior colleges and \$175 to those in private junior colleges. On the floor the bill was amended to include \$600 a year to pupils in private elementary and secondary schools. Backers said the amendments were designed to kill the bill by overloading it, and it never got out of committee in the House.

**NORTH CAROLINA** Daniel C. Hoover, The News and Observer

"...a session dominated by the struggle between East Carolina legislative partisans and those loyal to the newly restructured Board of Governors of the University of North Carolina System."

RALEIGH... Decade-old wrangling over a medical school for East Carolina University apparently came to an end as the 1974 North Carolina General Assembly appropriated funds to move ECU beyond the point-of-no-return.

It was a session dominated by the struggle between East Carolina legislative partisans and those loyal to the newly restructured Board of Governors of the University of North Carolina System.

No other higher educational issues of any consequence, other than the funding of Area Health Education Centers (AHEC), surfaced during the experimental annual session.

Unlike the 1973 session, legislators were reluctant to break new ground with a shorter session and elections facing them. Besides, 1973 was a big year for educational funding increases, so the assembly shifted much of the capital improvements budget elsewhere.

For example, the University of North Carolina and Community Colleges system received less for capital improvements than did the Department of Social Rehabilitation and Control for construction of new prisons.

### 1974-75 Appropriations

Appropriations\* for current operations for FY 1974-75 for higher education were:

+++University of North Carolina System Board of Governors for programs and administration, \$67.27 million.

+++The 16 units of the University of North Carolina System, \$188.19 million.

+++The Community Colleges System, \$108.93 million.

\* Figures are state tax funds.

It reflected a \$5-million increase for the UNC System, \$10 million for its branches, and about \$6 million for the Community Colleges. Modest increases compared to those of FY 1973-74.

The capital improvements budget, \$10 million for the Community Colleges System, and \$7.54 million for the UNC System, did not contain any major projects.

Only one bill was passed that affected in-state admission requirements and that broadened the definition of an in-state student.

Neither did the General Assembly authorize new taxes or sources of revenue for higher education.

Once the East Carolina medical school issue was cleared away, legislators generally stayed away from higher education issues.

Actually, the medical school expansion matter never came up for floor debate or a vote, but rather was settled -- after weeks of haggling and a few days of compromise -- by the Joint Appropriations Committee.

The vote was 49-28, generally along regional lines.

The lineup had Piedmont supporters of the UNC Governors (who opposed what they said was legislative interference) against mostly Eastern and some mountain Democrats.

### A Bitter Intraparty Fight Rekindled

Governor James E. Holshouser Jr., a Republican, had instructed his GOP minority delegation to support the board of governors. However, a bitter intraparty fight rekindled the day before the committee vote and 10 Republican legislators went over to the ECU side.

Specifically, that vote:

+++Directed the UNC Board of Governors to double (to 40 students) the class size at the present one-year ECU med school.

+++Directed the governors to add a second year "as soon as practical."

+++Required that a \$15 million basic science building be erected to house the ECU med school.

+++Required the school to concentrate on the training of family physicians.

+++Required the UNC and ECU medical schools to cooperate in gaining accreditation for the two-year ECU school so its graduates can readily transfer into third and fourth years programs.

The present one-year medical school at East Carolina was initially funded by the 1971 General Assembly after having been beaten back since the early 1960s.

Once expansion was sealed in the committee vote, UNC Board of Governors supporters gave up the fight rather than attempt the risky maneuver of breaking into the general appropriations bill when it hit the floor in mid-April.

In a related measure, the General Assembly approved the allocation of \$28 million for the funding of nine Area Health Education Centers. The project had been favored by the UNC governors as an alternative to UNC med school expansion.

The AHEC program calls for the establishment of a system of facilities, most away from the state's medical centers, for community-based programs that offer health services to citizens and residency training to medical students.

While they resolved the long-standing ECU issue, two new ones involving proposed institutions of higher learning surfaced and will be heard from in the 1975 session.

The first involves a school of veterinary medicine for North Carolina State University. A joint legislative resolution directed that a nine-member commission undertake a study of veterinary programs in the Southeast, both in-being and planned, and the need for one in North Carolina.

Again, UNC officials opposed the study as an erosion of their power, but having been defeated on ECU, could muster little support against this one.

The other came from Charlotte where trustees of the University of North Carolina at Charlotte endorsed a resolution calling for establishment of a law school there.

North Carolina has state-supported law schools at UNC-Chapel Hill and N.C. Central University. In addition, there are two private law schools, at Wake Forest University and Duke University.

Other 1974 legislation established an incentive program aimed at keeping North Carolina-trained doctors in the state.

The bill authorized the state Department of Human Resources to make loans to medical students who are N.C. residents each year the student attends a medical school in the state.

Such loans would run to a maximum of \$2,500 per year for up to 10 students annually. They would be granted on the condition that the student, when a licensed physician, practices for at least two years in a community of less than 10,000 persons.

In-state students received some help from the General Assembly which approved a bill that would allow them to retain in-state status even though they might lose such status during the school year. The bill provided a 12-month grace period.

University and Community Colleges System employees, like all other state workers, received a 7.5 percent pay increase. This did not affect top administrative personnel in each system whose salaries are set by their respective boards.

An effort to strip the UNC governors of that authority was killed in committee.

The session was the first annual meeting of the General Assembly in modern times and was not too well received by many legislators. Whether the experiment will be continued by the 1975 General Assembly won't be known until next spring, but if it is, major modifications in the interim period and budget preparation are expected.



## **SOUTH CAROLINA Levona Page, The State, Columbia**

"... action on higher education issues in the 1974 legislative session - the next longest in history - was light."

COLUMBIA... A too-good-to-turn-down offer of federal funding persuaded the South Carolina General Assembly to approve a second state medical school after a decade of controversy over the need for one.

The legislature appropriated \$391,000 for the first year's operation and thereby gave the go-ahead for the new school. Under newly passed federal legislation authorizing eight new medical schools, the U.S. Veterans Administration is to provide \$19.8 million to South Carolina for the first seven years' operation.

### **No Construction for New Med School**

The state was freed, at least temporarily, from having to construct buildings for the school. Old VA hospital facilities in Columbia, which are to be vacated as soon as a new hospital is built, are to be made available for medical school classrooms. Four Columbia area hospitals are to provide the clinical teaching facilities.

The controversy over a second state medical school peaked two years ago when Governor John C. West proposed its immediate establishment to help alleviate the doctor shortage. Opposition was particularly strong from Charleston lawmakers, who feared a lessening of state support for the South Carolina Medical University at Charleston. They argued that the university, given adequate support, could turn out the needed number of doctors.

State appropriations for the university were increased from \$15.4 million in 1971 to \$31.1 million in 1973. When Governor West went back to the legislature in April, 1974, with assurances that South Carolina could get substantial federal funding for the new school, nearly all of the past opposition faded.

Even before the legislature gave final approval to the state's share of the funding, the VA announced the University of South Carolina had qualified for the federal money.

Otherwise, action on higher education issues in the 1974 legislative session - the next longest in history - was light.

### **Winthrop Permanently Coeducational**

The legislature removed the limitations put on the admission of males when it authorized coeducation at Winthrop College in 1972. It also made coeducation there permanent by repealing a provision requiring a 1976 referendum on the question.

In another effort to combat South Carolina's physician shortage - particularly in rural areas - the legislature broadened the provision for scholarships for dental and medical students who agree to enter general practice in those areas. The new law provides scholarships up to \$6,200 a year for four years, with the program administered by the State Department of Health and Environmental Control. For each year the student receives a scholarship, he must agree to practice in a rural area for one year. If he fails to do so without justifiable cause, he must pay back the scholarship at seven percent interest.

For persons 65 and older, the legislature authorized free tuition on a space-available basis at state-supported colleges, universities and technical schools.

### **In-state Tuition Law Amended**

The legislature relaxed somewhat the law requiring a person to be a South Carolina resident for 12 months before qualifying for in-state tuition fees at colleges and universities. The law was amended to allow the lower tuition for persons here less than 12 months, provided they have fulltime employment. Wives and children of such persons would also qualify. Supporters of the bill said the 12-month residency requirement was a hardship on persons who are recruited by industry to come to South Carolina and who have children in college.

The legislature authorized the state to participate in the Academic Common Market proposed by the Southern Regional Education Board.

### **\$20.5 Million Increase in College Appropriations**

Appropriations for the state-supported colleges and universities were increased by \$20.5 million for 1974-75. Total allocations for the nine institutions were \$135 million.

The appropriations by school were:

University of South Carolina	-	\$40.6 million
USC regional campuses	-	4.9 million
Clemson University	-	24.0 million
S.C. Medical University	-	37.0 million
The Citadel	-	5.4 million
Winthrop College	-	6.0 million
S.C. State College	-	6.2 million
Francis Marion College	-	3.0 million
College of Charleston	-	5.9 million
Lander College	-	2.0 million

The S.C. Commission on Higher Education requested a \$500,000 increase, but got only \$16,000 of that amount, for a total of \$1.1 million.

A \$2.1 million increase, for a total of \$6.2 million was given to the Higher Education Tuition Grants Committee. The grants program provides aid for students at private colleges.

The State Board for Technical and Comprehensive Education was allocated \$25.9 million for 1974-75.

In actions on capital improvements, the legislature authorized Lander College to issue \$280,000 in bonds for a new office building and \$3 million for student housing.

USC was authorized to issue \$3 million in bonds for land acquisition for a new auditorium and \$5 million for a social sciences building. That authorization noted that an anonymous alumnus of USC has offered to contribute \$1 million for the social sciences building.

**TENNESSEE** Fred Travis, Chattanooga Times Bureau

"The medical school controversy

became so involved

and complicated...

that it is almost

impossible now

to unravel it all."

NASHVILLE... Controversy over establishing a new medical school at East Tennessee State University, Johnson City, overshadowed all other developments in higher education in Tennessee during the two 1974 sessions of the state legislature.

But there were these other important decisions:

+++The legislature overrode Governor Dunn's veto and restored to the higher education appropriation \$2.1 million by which he had reduced it. It also cast aside his objection to half of a \$2.2 million supplemental appropriation for the University of Tennessee Medical Units at Memphis. Aside from the supplement for medical education, the legislature provided \$166.3 million in appropriated funds for the state-operated universities and colleges and for operating expenses of their governing and coordinating boards. This was \$5.5 million less than recommended by the Tennessee Higher Education Commission but \$17.7 million more than the institutions had in tax money for operations during the fiscal year ending June 30.

+++The legislature authorized \$23,254,000 for new construction on state college and university campuses, half of it for the UT Medical Units. Governor Dunn's veto of a \$1 million appropriation for a business administration building at Tennessee State University here was overridden.

+++Tennessee was authorized through the THEC to participate in the Southern Regional Education Board's Academic Common Market, which goes into effect next fall. As a result Tennessee residents will be offered access to 66 graduate programs; in return, 18 graduate programs at Tennessee public educational institutions will be made available to students from other SREB states.

+++A student, to be appointed by the governor from among three nominees submitted by the UT Student Government Association, was given a seat on the University of Tennessee Board of Trustees. But an effort failed to put a student on the Board of Regents, which governs the state's regional universities and community colleges.

+++A state-financed residency program to encourage training of primary health care physicians to serve doctor-short areas was approved and initial financing of \$500,000 provided. The plan envisions entry of 50 medical school graduates annually into a three-year program which will be run through clinics in cooperation with hospitals and educational institutions at Knoxville, Johnson City, Chattanooga and Jackson. The legislature voted \$650,000 for the program---\$500,000 for UT and \$150,000 for the proposed new

medical school at East Tennessee State University, but Governor Dunn, using his item veto authority, cut \$100,000 from the UT appropriation and \$50,000 from the one for ETSU.

+++Directed establishment of a veterinary medicine school at UT-Knoxville and provided \$425,000 for the planning and construction phase during the fiscal year starting July 1.

+++The legislature sought to outlaw co-educational dormitories on both public and private university and college campuses, but Governor Dunn used his veto to block the proposed legislation. It would have required men and women students residing in the same building on campus to be separated by an impassable wall. Violations would require revocation of the institution's charter and make the responsible official liable for up to two months in jail.

### Many Bills Rejected

The 1974 legislative sessions---a regular meeting plus a "veto override" session held after a three-week recess---also was notable for some things it failed to do. Among these:

+++Attempts to add two appointive members and three ex officio members to the Higher Education Commission were blocked. The commission now consists of nine appointed members, serving staggered terms, and has no ex officio members. A bill proposed adding the state commissioner of education, the president of the University of Tennessee and the chancellor of the Board of Regents as ex officio, non-voting members. But opponents said this would deprive the commission of some of its independence and effectiveness.

+++Disagreement between the senate and house prevented enactment of a bill originally intended to restructure the governance of higher education, grades one through graduate school. As approved by the house over strenuous objection from members of the house education committee, the bill would have made the state education commissioner a virtual czar over the whole public education establishment. He would have been accorded the final say on budget recommendations and the Higher Education Commission, which now has considerable authority, would have been reduced to an advisory capacity.

The senate version would have left the THEC, the UT board of trustees and the state Board of Regents intact as the coordinating and governing agencies of institutions of higher learning and reduced the education commissioner to a liaison and long-range planning official.

+++An effort to authorize agreements among Tennessee and her eight contiguous states on eliminating non-resident tuition charges on a mutual basis failed.

+++The senate voted to tie salaries of public school teachers and employees of higher education institutions to the federal cost-of-living index with annual adjustments upward or downward. But the bill never emerged from the house finance committee.

+++A \$7.5 million bond authorization to finance construction of a new community college at Donelson, a Nashville suburb, was blocked by a

gubernatorial veto. The project had been endorsed by neither the Board of Regents nor the THEC. In addition, Dunn said, it would cut into enrollment at neighboring state-operated colleges and universities and further complicate the state's effort to comply with a federal court order requiring the state to produce a plan to bring about a greater degree of racial integration in public institutions of higher learning in the Nashville area.

### "Involved and Complicated" Medical School Controversy

The medical school controversy became so involved and complicated by so many claims and counter-claims, along with so many political cross currents, that it is almost impossible now to unravel it all. It began several years ago as an effort on the part of Johnson City area residents to obtain a new Veterans Administration hospital to replace the aging Mountain Home VA hospital, a largely domiciliary facility.

When Representative Olin E. Teague of Texas, chairman of the House Veterans Affairs committee, proposed the federal government subsidize establishment of new medical schools to be operated in conjunction with VA hospitals, the Johnson City residents seized on the idea as a means of getting a medical school at East Tennessee State University and a new hospital on the Mountain Home grounds next to the university campus.

Teague's plan finally became the Veterans Administration Medical School Assistance and Health Manpower Training Act of 1972 (Public Law 92-541), more commonly known as the Teague-Cranston Act. Congressman James H. Quillen of Kingsport strongly supported the legislation and later amended an appropriations bill to provide money for initial implementation of it. He also mounted a vigorous campaign to obtain one of the eight medical schools for ETSU.

The argument was that the federal government would provide most of the money for the new school and initial operation of it and that it would produce doctors who would take up practice in East Tennessee, which long has suffered from a shortage of physicians.

Opponents, especially those aligned with UT and its Medical Units at Memphis, countered with arguments that the state couldn't afford another medical school, that in spite of the initial financing by the federal government the state ultimately would have to assume most of the operating cost, that another medical school wasn't needed and wouldn't result in more graduates electing to practice in Tennessee and that the UT Medical Units were under-funded and in danger of losing accreditation for some programs.

Proponents countered with arguments that the new medical school at Johnson City would help pay for itself by boosting the local economy and that only through a separate "free-standing" medical school at ETSU could the physician shortage in that area be overcome. Besides, they said, the medical school at ETSU would emphasize training of family-care physicians, something the UT Medical Units were charged with having neglected, in spite of repeated prodding from the legislature.

UT Medical Unit administrators argued that an adequate supply of physicians could be more nearly assured through a residency training program financed

by the state. Repeatedly it was pointed out that Tennessee ranks among the top states in the nation in the number of medical school graduates but that it lacks sufficient residency training positions to accommodate them. The argument was that physicians are more likely to practice where they take their residency training than where they graduate from medical school.

Finally yielding to the mounting demand for a physician-training program in Upper East Tennessee, UT and Governor Dunn recommended a joint effort by UT and ETSU, saying this arrangement would produce more physicians more rapidly and more economically than the new, "free-standing" medical school. Besides, Governor Dunn said, the cooperative program could be initiated even if federal aid wasn't available through the Veterans Administration.

The plan was for high school graduates to take three years of basic education at ETSU, then receive two years of medical education at the UT Medical Units in Memphis, and finish with a year of clinical training at Johnson City. The governor went to Johnson City in an effort to personally win support for this, but those seeking a new, self-contained medical school would have none of it.

Pressures mounted on both sides, and as might be expected, other, non-related issues became involved. Legislators from the Upper East Tennessee region offered their support for programs and projects being sought elsewhere in exchange for help with the medical school; similarly those with other interests sought out the East Tennesseans to see if mutual support could be established.

The state Board of Regents and the Higher Education Commission met and endorsed the cooperative UT-ETSU program, and an application for Teague-Cranston funding of that concept was submitted to the Veterans Administration. But the free-standing medical school advocates finally had mustered the strength they needed to pass a bill directing the Board of Regents to plan a medical school at East Tennessee State and seek federal funds to help finance it.

The bill passed easily in the senate but was delayed for several days in the house as support for the measure wavered under an intense lobbying effort by the administration and UT agents. Finally it was passed and sent to Governor Dunn, who sent it back with his veto message, reiterating all the arguments against a new, independent medical school and pleading for approval of the cooperative program.

The contest was resumed. In Tennessee, it only requires the same constitutional majority (17 of the 33 votes in the senate, 50 of the 99 votes in the house) to override a veto that was required to pass the bill the first time. Governor Dunn's veto was quickly and easily overridden in the senate, and the struggle continued for several days in the house with a vote being postponed from time to time so that each side could count heads to see what the outcome was likely to be. Finally, the bill was called up and passed again, "the governor's objection notwithstanding," as they phrase it in the legislative halls.

Governor Dunn promised that, the legislature having spoken, he now would lend his enthusiastic support to the effort to gain approval of the project from the Veterans Administration. The Board of Regents and the Higher

Education Commission were called into session to formally approve a free-standing medical school at ETSU and authorize the institution to revise the application for aid it previously had submitted to the VA. Now the creation of the new medical school hinges on whether federal financing is approved since the legislature makes establishment of the institution contingent upon VA approval.

In contrast, the legislature authorized a veterinary medicine school for UT with hardly a question being asked, this in spite of a study by SREB pointing out that the region is threatened with a serious over-expansion of veterinary medical training facilities, a possible glut of veterinarians in a few years and a serious problem in staffing all the proposed new veterinary schools in the region.

Nor was there much discussion about establishing a residency training program for family-care physicians once the medical school controversy was resolved. Originally advocates of the Johnson City medical school fought the residency-training plan, claiming it was in reality a device conceived by the University of Tennessee to block approval of the new medical school.

#### Dunn's Item Veto Would Cause Tuition Increase

Governor Dunn's use of his item veto to reduce by \$2.1 million the amount the legislature appropriated for higher education threatened to force a 10 percent increase in tuition and fees paid by students. Educators feared this, coupled with other increases in living costs, would seriously imperil the opportunity of some students to attend college and bring about a decline in enrollments.

The UT board, the Board of Regents and the Tennessee Higher Education Commission appealed to the legislature to override the veto and restore the money. Spokesmen for the administration argued that the 10 percent increase in fees was reasonable, that students should bear a larger share of the cost, and that a decline in anticipated revenues made a cut in appropriations mandatory.

Even after the governor's item veto of a portion of the money for higher education and numerous other items totalling \$24.7 million, the commissioner of finance and administration, Ted Welch, said the general appropriations bill still provided for spending \$21 million more than the state is likely to collect in taxes. He took a strong stand in favor of the 10 percent increase in tuition and fees.

University and college administrators think they now may be able to get by with a 5 percent increase in fees and tuition, though some belt-tightening will be necessary. The final decision on how much to increase student charges is in the hands of the UT board of trustees and the state Board of Regents. State board universities now charge Tennessee residents an annual— (two semesters or three quarters) maintenance fee of \$318. On UT campuses, the maintenance fee ranges from \$333 at Nashville to \$380 a year at UT-Chattanooga for undergraduates. Out-of-state students are charged the maintenance fee plus tuition of \$810 a year (two semesters or three quarters,



depending upon which plan is used by the institution). Community colleges charge a \$195 maintenance fee plus the same out-of-state tuition as other institutions.

(By a special act, the legislature authorized waiver of out-of-state tuition at the Chattanooga State Technical Community College until the fall of 1975 and for non-residents who enroll prior to the beginning of the fall term in 1975. This was to ease the conversion of the Chattanooga State Technical Institute into a comprehensive community college, which was authorized last year and now is being implemented. Since the technical institute hadn't charged tuition for non-residents from north Georgia and northeast Alabama, the waiver was advocated as a means of enabling these students to continue in the community college.)

Though the legislature restored the appropriations cut made by Governor Dunn, the higher institutions are by no means out of the woods financially. The energy crisis already is having an adverse effect upon state tax collections. Not only is there less than anticipated growth in some levies, actual declines in receipts from others are being shown in monthly revenue reports. One of the most important sources showing declining receipts is the gasoline tax. Since part of it is pledged to retirement of the state debt, a serious drop in collections might adversely affect plans for construction projects financed with bonds.

The governor is required to maintain a balanced budget for the general fund, from which education and most other governmental functions except highway maintenance and construction are financed. If revenue receipts decline markedly, the governor "impounds" a portion of appropriations, usually 2 1/2 to 5 percent, releasing the money later if tax collections are sufficient to permit it.

Last fall the Higher Education Commission submitted two sets of recommendations--- one for an "improvement" budget and the other a basic budget. State budget-makers gave little consideration to the improvement proposals, deciding available revenues wouldn't be sufficient to finance them. They turned instead to the basic budget proposal, which was designed to give the institutions of higher learning an average 16 percent increase in appropriations over those for the current fiscal year. This was sufficient to cover rising operating costs, provide cost-of-living salary increases and finance a few new programs.

State budget officials trimmed the THEC basic recommendation by \$5.5 million before Governor Dunn transmitted it to the General Assembly as a part of his budget. The legislature made some changes, the major one being the addition to funds for the UT Medical Units.

### Other Legislative Developments

+++The Tennessee Student Loan Corporation and the Tennessee Student Assistance Agency were merged to form the Tennessee Student Assistance Corporation, eliminating duplication of administration in a state-insured loan program and a state-financed grant program for needy students. However, through some

as yet unexplained confusion, the new law restricts grants to Tennessee-resident students attending Tennessee schools and colleges. Also it reduced to \$3,500 from \$5,500 the maximum annual grant to medical students. A last-minute effort to correct these errors during the "veto override" session failed. Barring a special session of the legislature, the law will have to remain as it is until next March.

+++The legislature approved a somewhat hazily-worded requirement that candidates for the baccalaureate degree at state colleges and universities complete satisfactorily a one-year course in American history unless they have received credit for a similar course in high school. The requirement also can be waived for students with majors which don't allow time for the history course. Educators say they are unsure how the new law will work, and some legislators expressed misgivings about the legislature involving itself in prescribing curriculum.

+++A proposed requirement that applicants for teaching positions demonstrate proficiency in the speaking and understanding of English was never seriously considered.

+++Legislation was enacted to outlaw operation of mail-order diplomas and degree mills.

+++The legislature defeated an effort to require state colleges and universities to admit without an entrance examination graduates of unaccredited private schools. The sponsor of the measure contended that some graduates of newly-established private schools (sometimes called segregation academies) were having difficulty gaining admission to the state's institutions of higher learning.

+++A request of higher education institutions for money for remedial reading programs was refused, and the \$3.8 million was appropriated to finance reading courses in the first three grades of elementary school. A house select committee on education reported that reading deficiencies were one of the most serious problems at all levels of education and that some college students were handicapped in their studies by lack of reading ability. The committee also reported a drop in college entrance test scores and attributed this in part to the decline in reading skill among high school graduates.

**TEXAS** Richard M. Morehead, The Dallas Morning News

"Attempts will be made in January 1975 to submit the proposed new constitution, or parts of it, to voters for approval."

AUSTIN... Texas legislators sat for nearly seven months as delegates to a convention for rewriting the state constitution, but in the end failed to submit anything to the voters for approval.

The final vote on a proposed constitution was 118 to 62, three less than the affirmative two-thirds required to send the proposal to the voters.

**1876 Constitution Still in Effect**

Delegate-legislators already had agreed to write state-supported "equal educational opportunity" into the new constitution and to provide for extended dedication of endowment funds and ad valorem taxes to provide buildings and capital improvements for state universities and senior colleges. This too fell by the wayside, so terms of the 1876 constitution remain in effect.

Attempts will be made at the Legislature's regular session in January 1975 to submit the proposed new constitution, or parts of it, to voters for approval. Retiring Senator Nelson Wolff of San Antonio, who headed the campaign for a new constitution, said the Education Article and others should be offered to Texans for approval separately.

New legislators will be elected in November 1974 although most incumbents apparently will be returned to office. Many are unopposed for the \$400-a-month position.

Meanwhile, Governor Dolph Briscoe rejected demands for a special session of the legislature after the convention adjourned automatically on July 30.

Briscoe had been urged by administrators and faculties in higher education to ask for emergency salary increases. Even greater calls for money came from public school administrators and state employees, and from pensioners in all state retirement systems.

In turning down the requests for a special session, Governor Briscoe said he will ask the legislature meeting in January 1975 to make emergency appropriations totaling more than \$216 million to the above groups.

## 10 Percent Cost-of-Living Increase Recommended

He recommended a 10 percent cost-of-living increase for all state employees (which includes university and college faculties and staff) effective February 1, 1975. State salaries were increased 3.4 to 10.2 percent in the fiscal year started September 1, 1973, and 3.4 percent more starting September 1, 1974, but the amounts were below the inflation rate.

The raise for state employees recommended by Governor Briscoe for February 1, 1975, would cost an estimated \$43 million annually. His other emergency proposals include \$80 million for public schools, and \$93 million for increased payments to already-retired teachers and state employees, said to be hard-hit by inflation.

A scramble for increased appropriations, both short- and long-run, is certain to greet the new legislature. Texas Research League, a privately-financed group working with government agencies, has estimated a tax bill totaling several hundred million dollars annually would be necessary, even without new programs.

Governor Briscoe -- who has Jim Granberry, a Republican, as his main opponent in the November 1974 general election -- has promised to continue his no-new-tax stance. Inflation and the energy crisis have improved state tax collections considerably since the legislature last met in 1973. A surplus of as much as \$500 million is estimated for the General Revenue Fund in January.

This mostly represents higher prices for merchandise covered by the state sales tax, and additional income from oil and gas production, which the state taxes according to value.

## 1975 -- An "Education" Legislature

Even with \$500 million extra for the next session to start, state spending will undergo close scrutiny, Governor Briscoe has promised the 1975 session will be known as an "education" legislature. He expects to have proposals ready for restructuring public education to improve quality and give greater attention to "career" training in the face of shrinking enrollment. Only community colleges in Texas are showing any general increase in enrollment.

Financial support for education at all levels will be investigated carefully by the new legislature, whose leadership may be more conservative than the previous session's.

Before stumbling in a dispute over putting a "right to work" constitutional provision on the ballot with the proposed new constitution, the legislator-delegates at the 1974 convention had finally approved a new article concerning education.

The vote for final approval was close, 86 to 78, and some efforts were made later to revise this and other articles in an effort to devise a proposal which 121 delegates would be willing to submit to the voters.

Provisions for higher education proved controversial. Part of this was due to delegate resentment over lobbying efforts by representatives of the state's universities and colleges. Since the convention was held during a time when some legislators felt there was extravagance in buildings and some other expenses of higher education, the successful effort to write provisions for automatic capital improvements funds had considerable resistance.

The 1876 Constitution provided for the University of Texas to finance buildings through earnings on a "Permanent University Fund" (PUF), whose main asset originally was more than two million acres of low-income public land in West Texas.

### **PUF Valued at \$670 Million**

With the discovery of oil on the property about 50 years ago, The University of Texas was on its way to becoming the best-endowed in the nation. Along the way, supporters of Texas A & M successfully claimed kinship to the state university, which resulted in two-thirds of the PUF income going to the University of Texas and one-third to Texas A & M.

The fund is valued at more than \$670 million with only a nominal value of \$5 an acre on its land holdings. The fund is invested in public and private securities.

Starting in 1947, public senior colleges and universities outside the University of Texas-and-A & M systems were allocated income from a state ad valorem tax for building purposes. Originally, the levy was intended to support Confederate veterans and widows (a few of the widows are still alive). Rather than discontinue the property tax, legislators obtained voter approval to levy up to 10¢ on each \$100 valuation for college buildings, partly to remove pressure from other institutions to share in the Permanent University Fund.

### **Physical Plant Rated "Best of Any State"**

Allocations are made according to projected enrollment, and have been sufficient to provide a higher education physical plant that is sometimes rated the best of any state in the nation. The present constitution would extend the tax through 1988.

The proposal put in the new constitution with support of all public institutions of higher learning would continue the dedication of the Permanent University Fund to the University of Texas and A & M systems. Its earnings totaled \$31 million last year, and have been obligated through bond issues by governing boards for years ahead.

The proposed constitution also would establish a State Higher Education Assistance Fund (SHEAF) as a trust for 17 colleges and universities outside the PUF. It would require that the legislature appropriate at least as much for buildings

and equipment at these institutions as the two major systems receive from earnings on PUF.

The proposed constitution also would have expanded the purposes for which the funds could be spent. The present constitution restricts the expenditure to "permanent improvements." The convention approved the request of administrators to add "capital improvements and library books" to the eligible expenditures.

Under the present system, bond issues are pledged for repayment from the constitutional funds.

The convention voted down an effort to create a separate constitutional fund to pay for buildings at four state technical institutes created in recent years, mainly for non-degree vocational training.

### **Coordinating Board Remains Statutory**

Delegates also defeated, 79 to 77, a proposal to make the Coordinating Board, Texas College and University System, a constitutional rather than statutory agency, and give it specific power to curtail proliferation in creation of new institutions and programs. Some opponents blamed the defeat on the objection of University of Texas Regent Frank Erwin, Jr., an Austin attorney-lobbyist, who evidently feels the coordinating board gets in the way of the University's expansion.

Delegate W. G. Coody of Weatherford called the present statutory coordinating board "a toothless critter...all he can do is stand there and bark."

Delegate Joe Pantony of Houston made an unsuccessful attempt to give other institutions shares in the Permanent University Fund. He contended the fund has been spent extravagantly for housing for administrators, swimming pools, airplanes and otherwise.

### **Equal Educational Opportunity Provision**

One of the most interesting proposals in the Education Article concerned "equal educational opportunity" below the college level.

The Constitutional Revision Commission, a citizens group which recommended a new constitution to the convention, had included this provision, partly in response to the U.S. Supreme Court in the Rodriguez case which arose at San Antonio. Mexican-American plaintiffs in Edgewood Independent school district contended the state and local school financial system is discriminatory because some districts have less tax resources than others.

A federal trial court held the state should equalize support statewide. This was reversed 5 to 4 by the U.S. Supreme Court which held the federal constitution says nothing about guaranteeing an education. One opinion of the majority added

that Texas already has a form of statewide equalization through the "Foundation Fund" which guarantees enough state appropriations based on "average daily attendance" to provide each school system with a prescribed minimum standard of teacher salaries and other factors.

Black and Mexican-American delegates took the lead in having the proposed new constitution say:

"Sec. 1 [EDUCATION].EQUITABLE SUPPORT OF FREE PUBLIC SCHOOLS. A general diffusion of knowledge being essential to the preservation of the liberties and rights of the people, the legislature has the duty to establish and to provide by law for the equitable support and maintenance of an efficient system of free public schools below the college level. The system must furnish each individual an equal educational opportunity, but a school district may provide local enrichment of educational programs exceeding the level of funding provided by the state consistent with general law."

Some critics contended this would lead to "an equality of mediocrity" in education, and might prohibit special programs for the disadvantaged, such as bilingual education for students from Spanish-speaking families.

However, the minority-race delegates were among the strongest backers of the provision.

Ironically, when the whole constitution and its separate submission issues were finally turned down by the convention, all black delegates and most of the Mexican-Americans voted against sending the proposal to the voters. Leaders in the successful opposition were AFL-CIO labor union officials, who objected to the proposed separate submission on putting into the constitution the "right to work" doctrine which has been a law in Texas since 1947. This prohibits requiring union membership to hold a job.

"To help curb future spending, the General Assembly strengthened the State Council of Higher Education."

RICHMOND... The mood of the 1974 Virginia General Assembly towards higher education was that too much money had been lavished on Virginia's tax-supported postsecondary institutions during the past decade and that the current tight money era dictated cutbacks, especially for capital construction.

To help curb future spending, the General Assembly strengthened the State Council of Higher Education. As of July 1, the Council gets real budget, program and planning powers, which are subject to legislative veto in politically sensitive areas.

The Council began in 1956 as an advisory data collection agency. It has been inching toward coordinating regulatory status for years. Virginia, at this time, rejected a central governing board. The coordinating council created will still have more power than some college presidents wanted. But the colleges retain their individual boards of visitors plus key powers to draft their own budgets, to submit them directly to the governor and to lobby for them with both governor and legislature.

#### \$993 - Million Budget Approved

In the last hours of a 60-day session, the assembly voted a \$6.2-billion state budget for 1974-76, \$3 billion of it from the general (tax dollars) fund. For operations of 39 state-supported colleges and all related higher education activities, the budget includes \$993 million. The general fund total for higher education operations is \$515 million, up \$130 million or 34 percent over the 1972-74 biennium.

But higher education did increase its share of the statewide general fund pie. For the coming two years, higher education gets a 17.8 percent slice, compared with 16.9 percent of the current biennium. Virginia's 15 senior institutions, 23 community colleges and one two-year branch school enrolled 99,865 full-time equivalent students in the fall. They based their claim to a bigger slice on expectations that enrollment will go up 16 percent and costs will continue to rise. Enough money was appropriated to give professionals and non-professionals a 4.8 percent raise in each year of the biennium.

The \$993 million budgeted for all higher education includes certain funds "counted twice;" for example, money actually appropriated to the State Health Department but for use in the teaching hospital facilities of the University of Virginia and Virginia Commonwealth University. Deducting these substantial sums, the State Council figures all higher education got \$519.6 million from the general fund (up from \$392.8 million in 1972-74), and that the true budget total is \$972.9 million (as compared with \$764.0 million in this fiscal period).

As usual, general fund appropriations ran far behind what the colleges asked, to help take up the slack, increases in tuition, particularly out-of-state tuition, are being announced by most senior institutions.



The colleges requested funding for 285 projects costing more than \$250 million. The General Assembly killed all but \$14.6 million from the general fund. However, the legislature also authorized issuance of revenue producing bonds totaling nearly \$21 million to finance sizeable capital improvements at seven schools. (Individual projects are listed at the end of this report.)

The general fund items notably include a \$3.3-million building for the Woodbridge campus of Northern Virginia Community College (17,000 students, the biggest in the state), and planning money for nearly a dozen sizeable projects that will cost in excess of \$50 million to complete. The planning money list includes a veterinary school and library facility for VPI, a library unit for the University of Virginia and a law school building for the College of William and Mary.

Taken together, general fund and bond borrowing authority for capital outlay from this budget totals \$35.6 million, little more than a fifth of what colleges got in 1972-74. The general fund total alone for 1966-68 was \$72 million, and for the current biennium, \$68 million. When the \$104 million worth of bond borrowing authorized by the 1973 session is added to the \$68 million, the total comes to \$172 million for the expiring biennium.

### "Empire Building and Sloppy Management"

The drastic capital construction cutback can be partly explained by revenue projections made more uncertain than ever by the energy crisis and by the impact of the Higher Education Study Commission. The Commission was a blue chip panel named at the behest of a 1972 legislature concerned over mounting college costs and enrollments. That commission retained consultants Donald Shaner and Associates of Chicago. The January 23rd report cited empire building and sloppy management by the colleges, accusing the colleges--backed by appropriations from the General Assembly--of wasting \$80 million on classroom space alone. That space isn't needed today and won't even be needed by 1982, said the Commission.

The Commission said Virginia can save at least \$76 million over the next 10 years by not building facilities that the colleges have or will request. And by adopting Shaner management reforms the state can also save another \$21 million per year or \$210 million over the next decade. Most lawmakers were convinced by the commission report that the assembly has been a party to the colleges' wasted money.

Shaner's report to the Higher Education Study Commission said that the absence of effective state policies hurts Virginia higher education more than bad management or planning at the institutional level.

The first public test of how the legislature would deal with the Shaner proposals was rather revealing. Shaner saw Virginia's 39 colleges as too many for a state wanting to save money. The Commission members approved and introduced a bill embodying Shaner proposals to merge VPI at Blacksburg and Radford College at Radford 20 miles away. When a public hearing was held, Radford

bussed 800 supporters across the state to oppose the merger. Neither Sen. E.E. Willey, head of the Higher Education Study Commission, nor any other member would admit at the hearing that he ever favored merger and the bill was killed.

VPI President T. Marshall Hahn, Jr., speaking at that hearing for presidents of all the tax-supported senior colleges, conceded that some Higher Education Study Commission recommendations appeared "to have merit" but others were "questionable." Hahn claimed that Shaner experts erred in their management idea and space judgments. If there's a college surplus space anywhere, its total value is nearer \$1 million than the \$80 million claimed by Shaner, argued Hahn.

Details of the consultants' sloppy management charges against individual colleges were never divulged to the public by the study Commission because of political pressures from the colleges. Instead, the Commission handed them to a newly created Joint Legislative Audit and Review Commission. This Commission, the General Assembly's designated watchdog agency, is directed to continue studying the business financial practices of the colleges in the light of Shaner recommendation, and to make a report to the 1975 assembly.

### **"Stronger Council Established"**

The assembly voted in favor (139-1) of a stronger State Council of Higher Education. The reformed council, beginning July 1, will make long range plans for the colleges and the whole state system, updating those plans for the General Assembly every two years. It will approve or disapprove all mission statement change proposals; it can require the discontinuance of non-productive academic programs; it will annually approve or disapprove proposed institutional changes in space inventories of education and general space. However, the council actions in all three sensitive areas do not become effective until 30 days after adjournment of the next General Assembly session, giving colleges time to politic the lawmakers and the General Assembly time to veto unpopular state council decisions.

Neither state council nor the Higher Education Study Commission wanted that kind of assembly veto included in the new law. Both the House and Senate overwhelmingly endorsed a stronger council not subject to that kind of veto. These changes were made during the last moments of the session. At that time, Governor Godwin sent down to the floor a series of amendments which were endorsed without a dissenting voice heard.

The stronger council will also develop policies and guides "for the fair and equitable distribution and use of public funds," whether spent for operations or capital outlay. Thirty days before sending their budgets to the governor, the colleges will send them to the council. The council will discuss the budgets first with the governor and then the General Assembly, making its own recommendations.

The law flatly asserts the colleges retain authority to lobby for their money request before the governor and legislature.

The reformed council has power to approve or disapprove college enrollment projections. Before the Godwin amendments were accepted, the council would have had "authority to establish a broad range of maximum and minimum enrollment projections" for every college. Godwin revisions state that council projections "shall be in numerical terms by level of enrollment and shall be used for budgetary and fiscal planning purposes only."

The new council will approve or disapprove "the creation and establishment of any department, school, branch, division or extension of any public institution of higher education which such institution proposes to create..." And the council will develop uniform accounting and data reporting practices for the colleges.

The council budget was upped from \$863,000 in 1972-74 to \$1.6 million in the coming two years in order to raise state council salaries, to hire a few more professionals and finance those expanded demands for its services. Neither figure includes money for scholarship programs administered by the council. About a dozen professionals work for the council now.

#### "Godwin Amendments Increase Assembly's Power"

Both houses unanimously passed the Godwin amendments which established that the General Assembly has the power to review broad policy decisions of the council and that the individual colleges control the hiring of faculty members and the selection of students.

These amendments were passed despite the February 1973 ruling by District Judge John H. Pratt of the District of Columbia which called Virginia's desegregation plan "unacceptable." Pratt's decision was upheld by a U.S. Court of Appeals ruling which said that "the problem of integrating higher education must be dealt with on a statewide, rather than a school-by-school basis."

In January of this year, Governor Godwin informed HEW that the state colleges are already desegregated to the extent required by law. He further emphasized the idea that "the colleges are governed by separate and independent boards of visitors" rather than the State Council of Higher Education.

The amendments were initiated by Governor Godwin when SB 121, a strong council bill passed by both houses, failed to stress the above concept sufficiently.

These amendments are clearly intended to interpose the legislature between the colleges and any federal authority that might attempt to alter the admissions of hiring practices of these colleges; they take away from the State Council of Higher Education and hand to the General Assembly the final say on mission statements, space inventories and the killing of unproductive academic offerings.

The 1974 General Assembly was a busy as well as a watershed session. A total of 42 bills directly affecting higher education were introduced, half a dozen more than during the last regular session two years ago. Out of the 42, 23 were passed, six were carried over for consideration in 1975, and the remaining 13 were killed. The 1974 session dealt with 1,569 bills.

### More Money For Students

This session meant more money than ever before for private college students, and therefore their hard-pressed colleges. Almost entirely missing was the brisk controversy surrounding the question of spending public money for private college scholarship assistance that marked the 1972 session. Then, token money was appropriated and two constitutional tests precipitated.

In the second test last fall, the Virginia Supreme Court decided that state money can be used to make loans repayable in money alone to students in private, church-related schools. Repayment by "services beneficial to the Commonwealth" was ruled out for them but okay for students in private, non-church schools. Nineteen of the 26 members of the Council of Independent Colleges in Virginia (CICV) were distinctly unhappy with that ruling because of repayment restrictions imposed on their students.

For those in the seven non-sectarian schools the court approved public money for private college tuition assistance for Virginia residents in Virginia colleges. Students are eligible without regard to need for loans made under the Tuition Assistance Loan Act. These loans can be repaid by simply living in Virginia after graduation, by working in the state or serving in the armed forces; all being "services beneficial to the Commonwealth."

CICV sought \$16 million for such help, the State Council of Higher Education recommended \$8 million, ex-Governor Linwood Holton recommended nothing, and the 1974 session finally appropriated \$4.1 million for private college spending. Up to \$400 a year stipends will be available to qualified freshmen and sophomores in 1974-75, and to freshmen, sophomore and juniors in 1975-76.

The state council also recommended to the legislature that any private college getting the much-sought public money scholarship help should be "required" to make a public accounting of how the money is spent. The private college presidents bitterly opposed that, and the legislature struck out the "required" part. Now, private colleges are "requested to submit financial and other information which the State Council of Higher Education deems appropriate."

What the lawmakers want is to provide money that will be handed out as grants, not loans, to subsidize both colleges and students. Clear legalization of this aim is seen in a constitutional amendment that, with the approval won in the 1974 Session, has now been passed by two General Assemblies. Two passages are required by the amending process. On November 5, it will be submitted to voters in a statewide referendum.

The amendment says that "The General Assembly may provide for loans to, and grants to, or on behalf of, students attending nonprofit institutions of higher learning education...whose primary purpose is to provide collegiate or graduate education and not to provide religious training..."

Another private college item approved as a result of Higher Education Study Commission recommendations was a bill empowering the State Council of Higher Education to name a Private College Advisory Committee. Committee members, named largely from the private colleges, will advise the council on any matter affecting their institutions.

Virginia participation in the SREB Academic Common Market, approved earlier by former Governor Holton, got legislative approval. Graduate students from Common Market states can take advantage of designated programs in states other than their own at "in state" rates.

+++Under the Senior Citizens Higher Education Act, Virginia residents 65 and over can take tuition-free courses at state colleges when space is available after paying students are accommodated.

+++ "Term paper" sales are outlawed.

+++Virginia's Freedom of Information Act was amended to require boards of visitors (the college governing boards), which may meet behind closed doors, to make themselves available after meetings to announce and discuss actions taken. Excluded from public scrutiny under the amended act are college presidents' working papers and correspondence. A bill was introduced to allow the State Council of Higher Education to meet behind closed doors, but it was allowed to die after the council said it didn't need it. Killed at this session were several "Virginia Government in the Sunshine" Acts which would have required the college boards of visitors to admit public and press to their meetings.

+++The assembly approved establishing a school of social work at Norfolk State College.

+++The legislature authorized Virginia Commonwealth University to establish 10 (two more than now) yearly dental scholarships, each valued at \$2,500, in place of the present \$1,500 scholarships.

+++The assembly altered an existing program to provide to Virginia residents yearly nursing scholarships worth up to \$2,000 at the undergraduate and \$4,000 at the graduate level. Recipients must after graduation work in the nursing field one month for each \$100 of scholarship help received. An Advisory Committee to the State Board of Health will be set up to administer the program.

+++Killed off was a bill to authorize spending \$100,000 more to complete a health manpower study under auspices of the State Council of Higher Education, partly because of SREB studies already made.

+++The state council was directed to study the need, if any, for a state school of optometry, and other aspects of visual health care services. The study must be ready before the 1975 session convenes. Virginia has contractual arrangements for optometry students to enroll in other SREB states.

+++The state council was ordered to serve as a central information agency for those wanting to repay student loans.

+++Killed, also, was a bill to require state supported graduate-professional schools to admit at least 50 percent of each entering class from students having an "average collegiate record." Killed with it was a twin measure proposing to require such graduate-professional schools to enroll all qualified Virginia applicants before taking out-of-state applicants.

+++Carried over for disposition by the 1975 session is a bill to bar college teachers and administrators from sitting in the General Assembly. An amendment killed a proviso that would have likewise prevented public school teachers from sitting. Three college faculty members serve now in the House. The bill has rather broad support. When reported in a close vote out of committee, however, it was sent back to Committee by a 28-12 Senate vote.

+++Tenure remains an issue in the legislature, but a low key one, one that can still generate sparks in the 1975 session. Del. William P. Robinson Sr., D-Norfolk and a Norfolk State College professor, renewed his earlier-launched campaign to force the State Board for Community Colleges to restore tenure for its 1,700 teachers. The community college board axed tenure in 1972. Making little headway in 1974, Del. Robinson scaled down his request, asking the assembly this time to require the community college board to provide binding arbitration for its teachers with grievances. Binding arbitration arrangements already cover all public school teachers under State Board of Education regulations. Now, the community college presidents, not an impartial arbitration panel, has the last word in labor disputes.

+++Three bills to legalize collective bargaining for public employees, including college teachers, were introduced. Two bills were killed and one, a "meet and confer" rather than a true bargaining bill, was carried over to the 1975 session. Representatives of the American Association of University Professors and other faculty groups were eloquent in support of these measures.

#### 1974 Session

#### Appropriations for Operations

	<u>1974-75</u>	<u>1972-74</u>
General funds	\$514,765,790	384,420,580
Special funds	<u>477,947,720</u>	<u>370,545,330</u>
Total funds	992,713,510	754,965,910

Capital projects authorized by the 1974 General Assembly include these:

<u>Senior Colleges</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Total Funds</u>
Christopher Newport Miscellaneous Improvements		308,820	308,820
Clinch Valley/University of Virginia Improvements	76,900	199,550	276,450
George Mason University Heating, cooling, planning	1,250,455	e	1,250,455
Longwood Roofing, miscellaneous Improvements	61,200		61,200
Madison Equipment, Improvements, planning	1,217,200	422,300	1,639,500
Mary Washington Improvements	119,710	72,780	192,490
Norfolk State Improvements	257,400		257,400
Old Dominion Improvements	71,755		71,755
Radford Renovation, Improvements	149,095		149,095
U. of Virginia <u>Main campus--Plans undergraduate Library, business school equipment</u>	427,000	2,738,100	3,165,100
<u>Med. School Hospital--Repairs, Plans</u>	494,100	329,900	824,000
Virginia Commonwealth University <u>Main campus--Plans; Science Building</u>	980,885		980,885
<u>Med. School Hospital--Hospital plans (558 beds)</u>	3,000,000		3,000,000
Virginia Military Institute Addition, Repairs	490,000	265,000	755,000
Virginia Polytechnic Institute Planning, repairs, utilities	708,755	373,850	1,082,605
Virginia State Renovations	690,500		690,500

Virginia Higher Educational Institutions Bonds, to be backed by "the full faith, credit and taxing power of the Commonwealth," will be issued for these projects:

George Mason University	
Student Union Building (Phase II)	\$2,130,000
Madison College	
Outdoor Recreation & Athletic Facilities, Dormitory	3,300,000
University of Virginia	
Lambeth Field Housing	5,200,000
Virginia Commonwealth University	
Parking Facilities	5,200,000
Virginia Polytechnic Institute	
Bookstore	1,200,000
Virginia State College	
Dining Hall Renovation	950,000
William and Mary	
Dormitory Renovation	<u>3,000,000</u>
<b>Total</b>	<b>\$20,980,000</b>



<u>Senior Colleges</u>	<u>General Funds</u>	<u>Special Funds</u>	<u>Total Funds</u>
William and Mary Planning, Utilities	<u>670,250</u>	<u>          </u>	<u>670,250</u>
<u>Total, Senior Colleges</u>	\$10,665,155	\$4,710,300	\$15,375,455
 <u>Two-Year Colleges</u>			
Dabney S. Lancaster		27,960	27,960
J. Sargeant Reynolds	274,010	31,875	305,885
John Tyler		61,350	61,350
Mountain Empire		57,530	57,530
New River	52,500		52,500
Northern Virginia	3,270,145	397,815	3,667,960
Paul D. Camp		16,055	16,055
Piedmont Virginia		111,670	111,670
Rappahannock		122,270	122,270
Southwest Virginia		183,450	183,450
Thomas Nelson	91,925		91,925
Tidewater		1,911,870	1,911,870
Virginia Highlands	17,860	80,210	98,070
Virginia Western	200,375	144,170	344,545
Richard Bland/William & Mary	<u>18,225</u>	<u>          </u>	<u>18,225</u>
<u>Total, Two-Year Colleges</u>	\$3,925,040	\$3,146,225	\$7,071,265
<u>Total, All Institutions</u>	\$14,590,195	\$7,856,525	\$22,446,720

Out of \$22,446,720, \$20,910,950 is earmarked for "educational and general facilities," including \$9,032,050 for new construction, additions and project completions; \$4,587,800, planning funds for new facilities; \$7,291,100, repairs, renovations, utilities, site work.

**WEST VIRGINIA** Don Marsh, The Charleston Gazette

"...for the first time in more than 40 years the legislature recessed without passing a budget."

CHARLESTON... Higher education made few advances in the 61st West Virginia Legislature and some of its supporters say it may have lost ground.

40 years the legislature recessed

There is confusion on that point. The big reason is that for the first time in more than 40 years the legislature recessed without passing a budget.

without passing a budget."

Although there is little doubt that a budget will be approved in a special session before the next fiscal year begins July 1, there is a lot of doubt that the 15 institutions under the State Board of Regents will be funded at a level the Board hoped for.

Before the legislature adjourned, a conference committee reduced the Board's proposed budget of \$86.8 million to \$75 million. One consequence, according to Board Chancellor Prince Woodard, is that instead of a 10 percent pay increase for faculty, the raises will be limited to 3 or 4 percent.

The prospect is depressing. In fiscal 72-73, the average salary paid full-time faculty members in West Virginia colleges and universities was \$11,992--48th in the nation. The Board had put a high priority on increasing pay during the coming fiscal year.

### Scholarship Program Not Expanded

A second disappointment was the legislature's failure to approve an expanded scholarship program sought by the Board. The state has had a publicly funded scholarship program since 1968. During the current fiscal year, the program received an appropriation of \$500,000 and 1,575 West Virginia residents benefitted from it. Of the total, 11.7 percent attended private schools in the state.

There has been a continuing effort to expand scholarship assistance. A study published by the Board in 1971 said that 1,800 qualified high school graduates were unable to attend college because of lack of money. An updating of the study in 1973 said that 1,100 graduates of state high schools were financially unable to continue their education.

The Board's proposed remedy was to ask the legislature to increase the scholarship fund to \$3.7 million. The enlarged program would have allowed an increase in the number of students receiving scholarship assistance and an increase in the amount of assistance.

One group that would have benefitted most was state residents enrolled in private colleges in the state. The Board's plan would have permitted them a maximum scholarship grant equivalent to the total amount of state aid spent in the preceding year to support a student in a public institution. In the first year, the maximum could have been as much as \$1,275 to more than 500 students in private schools. Because of much lower tuition cost, about 4,800 students in public schools were expected to receive an average of \$275 each in assistance.

A problem developed because of a program sponsored by the state's private colleges. Last year, they had proposed a bill that would have granted \$500 in state aid to freshmen and sophomores and \$700 to juniors and seniors if they were West Virginia residents enrolled in private colleges located in West Virginia. The bill did not pass.

This year, some supporters of private schools opposed the Board of Regents' scholarship bill because it included a need test. They preferred the flat grant concept. Private school supporters were successful in having an amendment adopted that would have required that 60 percent of scholarship money be paid to private colleges. The amendment caused a cooling by legislators who preferred restricting spending of state money to state institutions. Consequently, no scholarship bill was passed.

#### **Academic Common Market Provides Lower Tuition**

On a brighter note, a bill was adopted which allowed West Virginia to participate in the academic common market concept pioneered by the Southern Regional Education Board.

In the plan, residents of West Virginia and 11 other states in the SREB region are eligible to have their students enroll in selected rare graduate programs at in-state tuition rates.

The idea is to expand the number of graduate programs available to students in the region. Dr. Woodard said West Virginia would be a major beneficiary because between 60 and 70 graduate programs are offered in the region that are not available in the state. He said passage of the bill was perhaps the most significant advance for higher education in the session.

It was one of the few higher education bills that got through the legislature. Others included:

+++Granting the Board authority to enter into contracts for programs and facilities with private schools in the state;

+++Giving the Board statutory authority to enforce traffic regulations on campuses of colleges and universities;

+++Allowing Marshall University to increase its bonded indebtedness by \$8.5 million and to pledge tuition collection to pay for the bonds. The money, according to the sponsor of the bill, would be used to build a sports complex at the Huntington Institution.

The bill was proposed by Senate Education Chairman Robert Nelson, D-Cabell, a resident of Huntington.

Both the Board of Regents and Marshall President John Barker expressed opposition to a private sports arena for the university. Presumably, they will be able to exercise veto power because an amendment to Nelson's bill restricted obligating bond money to such uses as Marshall deemed appropriate.

The Institution's position was that if Huntington and Cabell County would build a new field house, as they plan to attempt to do, Marshall would promise to rent the facility for its home basketball games.

### Four Bills Defeated

Bills that failed to pass included:

+++A request by the Board for authority to waive tuition and fees at state schools for Board employees and for citizens 65 and older for a maximum of six hours a semester. The bill would have covered professional and support personnel at state colleges and universities. Woodard called it potentially a valuable fringe benefit and said he was disappointed it wasn't enacted.

+++A request that the Board be given authority to remove trespassers from college buildings. Woodard said that present law is vague on the Board's legal right. At one school, he said, itinerants have entered buildings to use showers and to sleep in dormitories. He said private colleges also supported the bill.

+++A request that money raised by sale of excess property at state colleges and universities be paid directly to the institution. Under existing law, proceeds from sales are returned to the state's general revenue fund.

+++An attempt to quadruple tuition costs at state schools. The bill, sponsored by an individual senator, got to third reading before it was defeated. The Board of Regents strongly opposed the purpose of the bill.

Parenthetically, West Virginia is one of the few states that requires tuition money to be returned to the general fund. The institution charging the tuition does not benefit directly from it. An exception is possible when, under specific legislation, the institutions are allowed to pledge collection of tuition toward retiring bonds.

Dr. Woodard said, "This was not a session in which a great deal of higher education legislation was introduced, but, even so, the results were disappointing."

Some legislators said that one of the problems was in the Senate where Education Chairman Nelson has been a frequent critic of Woodard.

During the session, Woodard announced that he was resigning as chancellor, effective July 1, to accept appointment as president of Mary Washington College in his native Virginia.

The legislative session was complicated for higher education and other state programs by frequent disputes between Republican Governor Arch A. Moore, Jr., and leaders of the Democratic controlled legislature.

A big issue was over estimates of state revenue which are a constitutional responsibility of the governor. The budget can't exceed the estimates.

For the coming fiscal year, the governor estimated revenue collections at \$450.2 million, about \$7 million below estimates for the current year. In addition, Moore submitted a budget that totalled \$83.5 million more than his estimate of revenue.

The legislature was unable to reconcile the budget with the estimate and adjourned without passing a budget bill. The action made a special session a certainty.