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ABSTRACT

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The work of the Temporary commission on the Puture of Postsecondary Education in New York State is analyzed in this paper. Known as the Wessell Commission, it was created in June 1976 when the City University of New York (CUNY) was closed for lack of operating funds. Legislation permitting CUNY to reopen contained a provision for the comprehensive study of postsecondary education in the state by a temporary commission. Background information is provided on the enrollment shift, state student aid, interagency conflict, the leadership void, the city university crisis, and the state political environment. The commission was evaluated to assess the extent to which its stated objectives were accomplished and the general impact it had on state public policy for higher education. Interviews were held with the members of both the executive and legislative staffs of the commission. The 14 commission staff members who were interviewed indicated that there had been a definite need for the commission. The final report appeared to reasonably meet most of the stated objectives of the commission, especially those dealing with the Board of Regents, allocation of resources to the private institutions, and public sector governance. In the views of the staff, the commission had very little influence upon higher educational policy. The staff responses are analyzed and seven concluding observations are presented. (SW)

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ANATOMY OF A BLUE-RIBBON COMMISSION:

THE CASE OF NEW YORK STATE

by

Edward R. Hines

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A policy paper prepared for the Annual Meeting of the Association for the Study of Higher Education, Chicago, Illinois, March 19, 1978.

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Introduction

The need for the Commission grew out of the encounty of the CUNY problem. The problems of higher education had begun to run away from us. We had to reevaluate our position. Unlike previous commissions, Wessell was a no-win situation.

New York provides insight into the magnitude of the problems facing lawmakers and educational leaders in the Empire State. There is a tradition of creating blue-ribbon groups in New York as a means of studying major public policy issues and recommending solutions to existing problems. In 1976, it appeared that there was a critical need for an impartial group to make a comprehensive study of the current condition and future direction for higher education in the State.

The Temporary Commission on the Future of Postsecondary Education in New York State, known as the Wessell Commission after its chairman, Nils Y. Wessell of the Sloan Foundation, was created in June, 1976 and was required to produce a final report to the Governor and Legislature in March, 1977. Unlike previous temporary commissions, the Wessell Commission was created during a crisis and given a near impossible charge. The City University of New York (CUNY) had closed for lack of operating funds, and the legislation permitting CUNY to reopen contained a provision for the comprehensive study of postsecondary education in the State by a temporary commission.

As legislators debated the possible composition and charge to the Commission, the number of commissioners decreased in size while the Commission objectives expanded beyond the immediacy of CUNY to the current status and future direction of postsecondary education in the entire State. The Commission report provoked controlersy and condemnation from nearly all quarters of the education and policy-making communities throughout the State. The purposes of this analysis are to view the Commission in the context of its formulation and to assess its immediate and possible longer-term impact upon public policy making for higher education in New York State.

A Watershed Year for Higher Education

The Bicentennial Year of 1976 in New York State was highlighted with precipitous events in higher education. As we look back to that year, it is clear that it was a watershed year for higher education in the State. Several of these critical events will be discussed.

Enrollment Shift. During the 1960s, there was a rapid expansion of public higher education in New York, and enrollments increased statewide. During the decade total enrollments increased 233 per cent from 306,000 in 1960 to 713,000 in 1970. The public sector expansion, however, was accompanied by a decline in the share of students attending private institutions. More recently, the share of students in private institutions has increased while the share in the public institutions has either stabilized or declined, as shown in Table 1.

TABLE 1
TOTAL FULL-TIME EQUIVALENT ENROLLMENT
BY SECTOR, 1970-1976

·				_	*	•	
'Sector	1970	1971	1972	1973	1974	1975 ⁻	1976
SUNY	206,773	221,391	225,229	236,851	249,985	273,511	264,795
Share	35.36	35.77	35.47	35.62	35.87	36.95	37.11
CUNY.	128,254	147,945	160,146	167,661	175,499	175,540	147,935
Share	21.93	23.91	25.22	25.21	25.18	23.58	ź 0.73
•		:	,	•	• c	' 1	,
Private		249,543	249,622	251,400	261,653	279,014	285,365
		40.32	39.31	37.81	37.55	37.69	. 39.99
New Yor	k				_		. •
State	E04 735	C10 070	. 634 000	1000	505 050	-	
TOTAL	284,/35	618,879	2 634,998	664,975	696,869	740,223	713,530
					•		

Share refers to the enrollment share which is expressed as a percentage of New York State Total enrollment. Differences between sector enrollment and New York State Total enrollment are accounted for by enrollment in proprietary institutions (not shown).

Source: The Report of the Temporary State Commission on The Future of Postsecondary Education in New York State, Albany, New York, March 31, 1977, p. 43.

The reasons for enrollment shifts are complex but undoubtedly would include the following: an increase in SUNY tuition in June, 1976; the imposition of tuition in CUNY in the Fall, 1976; and a state student



aid program (Tuition Assistance Program) with awards based upon net taxable family income and applicable toward fuition to a maximum of \$1500.

State Student Aid. During the 1976-77 academic year, New York's Tuition Assistance Program (TAP) was responsible for 31 per cent of the total dollars and nearly 39 per cent of the number of awards given to students nationwide. 3 The magnitude of this statefunded, need-based program exceeds similar programs in all other states, but contemporary concerns in New York State were with the escalating costs of TAP, internal program management, and the quality control of the program. From the inception of TAP in 1974 through the 1976-77 academic year, there was a 34 per cent increase in the number of TAP recipients accompanied by a 141 per cent increase in program costs.4 Cost increases were due to the imposition of tuition within CUNY, a greater number of students who qualified for higher awards, and increases in the number of emancipated students who applied for higher awards. The immediate crisis in 1976 and the substance of the legislative interest in TAP, however, were with the internal management of the program. Legislators were besieged with complaints from students and parents over lost applications and delays in the processing of TAP awards, and complaints from institutions faced with major cash flow problems because students were unable to register for the Spring Semester due to their not having received their TAP awards for the Fall Semester. While legislative

hearings were held mid-year throughout the State and quick action enabled the problem to be solved through cash advances to institutions, the entire TAP issue was one of major concern to lawrakers in 1976.

Interagency Conflict. The Bicentennial Year in New York was characterized, also, by a number of contentious issues involving different agencies and institutions. First, a number of events occurred which brought a generally latent conflict between public and private institutions into the foreground. Efforts by the State Education Department, the administrative agency of the Regents, to continue with statewide review of doctoral programs were resisted by the State University. The SUNY Trustees initiated a legal action against the Regents over the Regents' apparent authority to deregister, i.e. terminate, doctoral programs within SUNY. A State Supreme Justice ruled that "the commissioner's determination in refusing to register the doctoral program in English (at SUNY-Albany) was neither arbitrary nor capricious."5 In that case, an amicus curiae brief was filed by the Commission on Independent Colleges and Universities, representing private colleges and universities, in support of the Regents' position, thereby further straining the delicate relationship between the State University and the private institutions.

Second, the Annual Meeting of the Association of Colleges and Universities of the State of New York (ACUSNY) in September, 1976, was marked by the inability of representatives of public and private institution to agree on certain provisions of the proposed Regents' Statewide Market Plan for Postsecondary Education dealing with the authority of the Regents to

speak for all of higher education in the State. This singular event may not have been of major significance, but viewed in another light it represented the inability of the higher education community to come to agreement over a basic issue of governance. This occurred as the Massell Commission began its work, thus affirming a view that higher education was unable to "speak with one voice," and that an outside group was necessary to formulate a plan for the future of postsecondary education in the State.

A third issue of contention among the major agencies in 1976 / was over the formulation of the Regents' quadrennial Master Plan. A SUNY analysis of the Tentative Plan (initial published draft) drew attention to conceptual inaccuracies, internal inconsistencies, and a substantial amount of what the SUNY Chancellor termed "blurring language." A SUNY Trustee commented upon the long-standing public-private contention in the State:

State University came into being in 1948. New York was the last State in the union to have a State University. It came into being over great opposition from the private colleges, and, of all sources, the Board of Regents and the Department of Education (sic). When it became inevitable that we would have a State University, the line of attack changed. Now it was suggested by the opposition that State University be just a supplement to the private colleges.

A final issue of major importance in the State in 1976 was the firing of the Commissioner of Education in November, 1976, in an 8-7 vote by the Board of Regents. 8 This vote was a culmination to a period of several years during which the Commissioner became more independent from the Board of Regents and conservatives throughout the State reacted increasingly

negatively to the Commissioner's strong stand in favor of bussing to effect school desegregation. During the 1970s, the members of the Board of Regents grew more conservative and politicized, according to some observers. Each legislative session included introduction of bills to curb the quasi-judicial powers of the Commissioner, and there were increasingly vocal attacks on the Commissioner. The final assault on the Commissioner began when the Commissioner of Commerce, the day before the ACUSNY meeting in September, 1976, levied an attack upon the Commissioner and the State Education Department:

Our principal problem with the economy is taxes, the reason for taxes is that we have to spend money, and the largest expenditure is for schools...My complaint has been that Education has been run independent of the rest of the world, or at least independent of the rest of state government...(The Governor) has found (the Commissioner) and the Department unresponsive in the past. In fact, (the Commissioner) has criticized the Governor on several occasions for not supplying endless amounts of money into that evergrowing, bureaucratic sinkhole...So we are already seeing the first signs of the crumbling of the kingdom.

The external attacks on education and on the Commissioner continued, the Regents met several times in closed door sessions, and the decision to terminate was made in November. 10

Leadership Void: The 1976 year ended in New York with a void in State leadership for higher education. The Commissioner of Education was fired, and was replaced in mid-1977 by the Executive Deputy Commissioner in the State Education Department. The chief official with direct responsibility for higher education in the State Education Department, in mid-1977,

left to assume a position in New Jersey. Finally, the Chancellor of the State University of New York departed early in 1977 to head the U. S. Office of Education. Taken together, these seemingly unrelated events caused a major leadership void in higher education in New York.

To complete the analysis of the contextual conditions from which the Wessell Commission arose, there is need to give attention to the crisis of the City University and to the political environment in the State.

City University Crisis

In large measure, the catalyst for the creation of a statewide higher education commission was the fiscal crisis of the City University, and the financing of CUNY is linked to the financing of the City of New York. To focus merely upon the Wessell Commission as one aspect of the legislation which enabled CUNY to reopen would be to ignore the larger reality of the extended fiscal crisis which led to its indeption. New York City financing will undoubtedly occupy scholars for years to come, and virtually any treatment of the subject simply is beyond the purview of this study. Instead, we can begin with the major events leading to the closing of the City University in 1976.

In July, 1975, it became evident that the actual budget for the City of New York would not meet the certified budget necessary to sustain the City at its then-current spending level for the remainder of the fiscal year. The City's financial condition continued to worsen during the

Fall of 1975 and in December, the City levied a \$32 million tex levy reduction ostensibly "in lieu of tuition." Rather than meet this budget cut by immediately imposing tuition or implementing reductions in academic programs, the Board of Higher Education instead embarked upon a series of short-term decisions designed to close the gap. In the ensuing months, several proposals were advanced by the Board, the CUNY administration, City officials, and others. Some of these proposals included the gradual phase-cut of the City's support to the senior colleges, reducing CUNY enrollment by imposing strict admissions standards or terminating failing students, and varying college margers and program eliminations. Finally, in late May the City University exhausted its' funds for the fiscal year and the University closed.

In the meantime, logislation was being considered in Albany which would permit the University to reopen. In what was called by one legislative fiscal staff member "the most difficult piece of legislation we have dealt with in many years," a complex bill was passed in the legislature which enabled the University to reopen. The major provisions of this bill were as follows:

- Tuition was to be charged beginning Fall, 1976, thereby ending CUNY's 129-year old policy of free education for City residents.
- The Board of Higher Education was reconstituted to include several gubernatorial appointees.
- A system of accounting and management information measures was to be implemented by the CUNY administration.

 The University was advanced \$24 million toward its appropriation for the coming fiscal year.

Two additional points need to be mentioned in regard to the city University. First, the City University is strongly identified with and is an integral part of the culture, education, and government of the city. CUNY dates its lineage to 1847 when the Free Academy was created by referendum. The Free Academy became the City College of New York, and in the next hundred years, three other colleges and the Board of Higher Education were established. These "four old senior colleges" gave upward mobility to immigrants who flocked to New York around the win. of the century. No tuition in combination with limited space in these four colleges resulted in high entrance standards and a level of academic excellence unique among public universities in the nation. Between 1950 and 1971, four additional senior colleges and eight community. colleges were added to the City University. The commitment of CUNY to increased student access was extended further when open admissions was implemented in 1969. Thus, one cannot understand the University without. giving attention to its background and close relationships with New York city and its people.

The second point to be mentioned is the fact that the City University has roots deep within the political structure of both the City and the State. Support for the University and its component institutions has been a Vital part of borough politics, City-wide politics, and State politics.

The passage of the "CUNY legislation" enabling the University to reopen is a case in point. After weeks of careful study, the Governor announced (May 20, 1976) that "the State would not increase its aid to the City University for the coming year, a decision that in effect leaves the imposition of tuition as the only way the university can traise the money to continue operating." Prospects of imposing tuition in an election year made City legislators' reactions predictable:

This gets at the heart of what will be an extremely painful and delicate political process during the next week. Even for the city legislators who endured the fiscal crisis and the austerity legislation with equanimity, the prospect of imposing tuition at the City University halfway into an election year is alarming, and they want to be sure that their counterparts realize that they are not to blame. 13

As the Board of Higher Education and State legislature continued to wrestle with the issue of GUNY tuition, leadership for the CUNY aid package was undertaken by the Assembly Democratic leadership in cooperation with the Governor: The Majority Leader of the Republican-controlled Senate, however, had a different view:

I don't have anything to do with reopening CUNY. I feel very bad that CUNY got itself in this posture, but the city knew about it for nine months or a year before now. It spent itself into this situation and didn't go to City Hall for help but came to the Legislature. 14

Garnering the necessary votes for passing the aid package was fraught with political negotiations. On the one hand, upstate Assembly Democrats were fearful that giving support to CUNY would provoke negative reaction by their constituents who then might expect assistance for local, upstate SLNY units in financial difficulty. On the other hand, Republican

Senators from New York City were under severe political pressure to support the CUNY fiscal package. The bill was passed in the Demo- cratically-controlled Assembly. Finally, the bill passed in the Senate:

Once the Assembly acted, the pressure on the Senate became nearly irresistable. The Republican majority there depends on holding the seats of their seven members from New York City, and some of those seven had told Senator Anderson that their political survival depended on passage of something like the Assembly rescue plan. Time pressure was provided not only by the continued closure of the University, but also by next week's recess, during which legislators will be facing their constituents as they circulate petitions for renomination. With the pressures mounting, Senator Anderson's strategy came to be seen in the words of one leading Democrat today as 'calculated to backfire.' He gave in yesterday at a meeting of the other legislative leaders and the Governor. 15

State Political Environment

The state politics of education has been of interest to scholars generally and several volumes have focused upon New York. 16 In this analysis, it is important to give consideration to several aspects, especially since the departure of Nelson Rockefeller, New York's Republican Governor who had a 15-year tenure as the State's Chief Executive.

After Rockefeller resigned in December, 1973, the Lieutenant Governor served as Governor during the 1974 legislative session. In November of that year, New York followed the nationwide shift toward Democratic control which was related to the aftermath of Watergate. Beginning with the 1975 legislative session, both the New York Governor and the Assembly were Democratic and the Senate remained Republican. Thus, with a politically-split legislature and an economic picture worsening in the State, Governor Hugh Carey immediately encountered a wariety of vexing problems not the least of

which was maintaining fiscal solvency for the State:

Recent studies of New York State's economic behavior all point to the same sorry facts: When the nation enters a recession, New York goes in earlier, gets in deeper, and stays in longer. 'We all knew there was an economic problem, but none of us knew how devastating it was,' said Dyson (Commissioner of Commerce).

It would be well to keep in mind some basic characteristics of New York State politics and of State government. First, there has been a trend toward centralization of power in the Executive Branch, a trend not unique to New York but related in the Empire State to the dominance of Nelson Rockefeller. 18 Second, Democrats outnumber Republicans in voter registrations but have been in a weak position at the State level, until recently, due primarily to tack of incumbency. 19 Third, there is a sectionalism in New York State politics that is more complex than a mere downstate-upstate fragmentation based, upon geography. 20 True, there is a downstate-upstate split perhaps more acturately termed New York City versus the rest of the State (including long Island). There is the rural Republican versus urban Democratic split, although some upstate cities are notable exceptions. Since 1974, there has been a politically-split legislature and a Democratic Governor. Finally there is a traditional Executive-legislative and Assembly-Senate contention.

During the waning Rockefeller years and since, the legislature has increased the power of its position not only through strengthening the traditional legislative leadership but also by expanding its staffs, especially those of the two fiscal committees. ²¹ In fiscal matters, thus, the dominance of the Governor and the Division of the Budget has been

challenged by the expertise of the Assembly Ways and Means and the Senate Finance Committees. Clear evidence of the legislature's growing strength is provided by the passage of the Stavisky-Goodman Bill in 1976, to aid New York City public schools. The Governor was openly against the Bill, but following his veto the legislature again passed the Bill. It had been 104 years since a similar veto override occurred in New York State politics. 22

In recent years the politics of higher education in the State has been described as being shaped by "strong personalities, bearing the imprint of two activist (Republican) governors." 23 Yet, the current period in higher education's development in the State has been characterized as "problems searching for a solution" with the following issues high-lighted:

Emphasis on realistic, quantified, and price-tagged master plans; resource allocations that follow enrollments; further cutbacks in capital construction programs; priority shifts to favor some graduate and professional programs and to eliminate, reduce, or consolidate others; higher tuition in public universities; insistence on greater productivity; tenure limitations; controlled growth of faculty salaries; and joint use of public and private facilities. The big question is who will take the lead in implementing these difficult policies—the higher education establishment, the legislature, the governor, or the Board of Regents?²⁴

As the midpoint of the 1970s approached, it was clear that higher education enrollments in the State were going to be in difficulty, and the series of fiscal crises confronting the Governor made imperative the need for responsible and rational decisions about the direction and future of higher education. In December, 1974, the Governor appointed a Task Force

"to identify the define the major questions and issues regarding postsecondary education, to assemble the best judgments that have been made
on these issues, and to engage in careful deliberations pointed at advising
the Governor on what he should do or recommend to be done that is within
his power and responsibility to do."25

This Task Force of 26 individuals from institutions throughout the State and a staff of four quickly organized into seven working committees which met frequently early in 1975. While their final 178-page report was a thorough assessment of the condition of higher education at that time, it became apparent as the fliscal crisis began to worsen in 1975 and as the CUNY fiscal situation became critical beginning in July, 1975, that any thoughts for expanding State support to higher education were totally unrealistic. As its single recommendation to the Governor, therefore, the Task Force said:

In light of the fiscal crisis of 1975, we arrived at a new conclusion, subsequently ratified in plenary session by the Task Force, that we must precede our original recommendations with the primary recommendation that a blue-ribbon panel be established to grapple with the hard problems related to the allocation of decreasing resources. 26

The stage was set for the creation of the Wessell Commission in 1976.

Framework for Analysis

It is assumed that in order to assess the extent to which the Commission's objectives were attained and to evaluate the impact of this Commission upon public policy for higher education, one must first understand how and why the Commission came into being. Scholars have shown that social,



economic, and political variables can be important factors in state policy outputs.²⁷ This paper began with a consideration of critical issues in higher education in New York in 1976, the fiscal drisis of the City University, and the political context in which higher education must function.

The analytic approach to examining the Commission was twofold.

First, the Commission was viewed according to the extent to which its stated objectives were accomplished. This type of summative evaluation relies upon the judgments of experts as to whether the end products appeared to meet the intended outcomes, thus establishing a measure of congruity between objectives and performance. 28 Second, the policy impact of the Commission was assessed not in direct relation to its objectives, but rather to the more general impact which the Commission appeared to have on State public policy for higher education. This type of goal-free, or responsive evaluation may be a more meaningful type of evaluation when dealing with the impact on state policy. 29

This analysis was carried out by means of interviews held with the members of both the Executive and legislative staffs. Interview schedules were prepared and utilized in interviews with fourteen staff members early in 1978. These staff members represented the Governor's Program Office, the Division of the Budget, the Assembly Higher Education Committee, the Assembly Ways and Means Committee, the Senate Higher Education Committee, and the Senate Finance Committee. One set of interview questions focused upon the objectives of the Commission as stated in the enabling legislation. The other

interview questions were based upon the more general area of the policy impact of the Commission. Each interview lasted at least one hour, and some interviews exceeded two hours in length. The objectives of the Commission and the questions pertaining to the policy impact are contained in the Appendix to this report.

The design for this twofold evaluation rested upon several assumptions. First, it was assumed that the empirical portion of the research should be targeted to the group of individuals most knowledgeable about the Commission and in a position to affect policy changes for higher education. The methodology of the positional approach enables a focus upon those involved at key points in the decision-making or policy process. 30 and, it was clear that this group would consist of Executive and legislative staff representing both fiscal and program elements of the Executive Branch and of each house. The increasing importance of legislative staff has been documented recently. 31 Third, staff were chosen rather than the major policy actors, such as the Governor and legislative leaders, because staff members may have more first-hand knowledge and access to data. This researcher does not discount the evaluations of the Commission already offered by some and obtainable from others. Such "professional judgment" approaches are helpful, 32 but may involve individuals with limited first-hand knowledge. One such person of nationwide reputation offered the following comment about the Wessell Commission:



(The report of the Wessell Commission) was a poor report. I do not think that it had been carefully thought through and I did not think the staff work was well done. The opportunity was there to have a really first-rate report because the problems exist and somebody ought to be facing them in their totality. 33

In this research it was considered to be more useful to assess the reaction of State policy makers who were knowledgeable about the Commission and who are in a position to effect policy for higher education.

Assessment of Commission Objectives

The assessment of the extent to which the Commission met its stated objectives begins with the formulation of the Commission, the way in which the objectives were developed, and the evaluation by knowledgeable actors of the ways in which the objectives were attained. Each topic will be treated separately.

Formulation of the Commission. The need for this Commission grew out of the variety of contextual elements already discussed in this report. These elements included the declining economy of the State, the uncertain political environment, the beginnings of enrollment decline in the public sector combined with a slight enrollment increase in the private sector, and several critical issues in higher education in 1976. By far the most important element, however, was the CUNY fiscal crisis and the closing of that entife University system. Of the fourteen staff who were interviewed, all but one said that there was a definite or at least a general need for the Commission.³⁴ One staff member commented:

There was a series of agonizing issues for higher education in the State. Obviously, CUNY was the crisis issue at the time, but we all realized that the breader questions were bearing down on us. More important issues of mission were involved than merely bailing out CUNY with more State money. 35

Several staff members were skeptical about the potential utility of commissions. One experienced staffer noted "In general," temporary commissions are limited. In New York, we have the belief that if we bring in outside experts who are objective, our problems will be solved. We did this both with Fleischmann and Wessell, and neither Commission really .was successful. It's true that outsiders may not have preconceived notions, but their solutions tend to be unrealistic. "36 By expanding upon this more negative view of the potential utility of temporary study groups, it is possible to posit a scenario about the Wessell Commission. Taking a narrow viewpoint, the need for a major blue-ribbon group in New York State in 1976 may have been obviated by the short-term legislative decision to advance funds to the City University thus enabling it to reopen. If one subscribes to the point of view that the CUNY problem was one primarily of internal managment, then the policy decisions affecting CUNY were within the province of its Board and Central Administration to be resolved by negotiations with the City of New York and the Division of the Budget. This view, however, does not give credence to the larger issues affecting all of higher education in the State. Despite its conceptual neatness, this view must be rejected in favor of the position that indeed there was the need for a blue-ribbon group to wrestle with the larger policy questions for all sectors



of higher education in the State.

. While some observers may be pessimustic about the potential usefulness of such temporary groups, it must be recognized that higher education commissions in New York State had enjoyed a large measure of success. 37 After World War II, the State University of New York was established following the recommendations of the Temporary Commission on the Need for a State University. Governor Thomas Dewey appointed Owen D. Young as Chairman of the 21-member group whose recommendations set the stage for the creation . of SUNY. 38 Then in 1959; Governor Rockefeller and the Board of Regents created the Committee on Higher Education whose commissioners included Marion Folsom, John Gardner, and Henry Heald. 39 The Heald Commission's work was in the context of the anticipation of substantial student demand for higher education, optimism about economic growth and manpower needs in the State, and the passage of a \$250 million bond issue in 1957 which served as grass roots support for the Expansion of the State University. The Heald Commission report in 1960, and the subsequent SUNY Master Plans of 1960, 1964, and 1968, enabled the University to grow over four-fold in number of degrees granted during the decade of the 1960s. 40 Select Committee on the Future of Private and Independent Higher Education was appointed jointly by the Governor and the Regents. Chaired by McGeorge Bundy, this group is viewed as responsible for recommending increased support to the private sector in the form of what is called "Bundy Aid," which are institutional subsidies to private colleges and universities



based on an award structure varying with the level of degrees granted.

In 1972, the Governor created the Task Force on Financing Higher Education, chaired by Francis Keppel. The Keppel Commission led to increased State aid to students through the Tuition Assistance Program, enacted in 1974. The Keppel group also recommended shortening the terms of the Regents from 15 to 7 years, and foresaw the need for vesting operational responsibility for higher education planning in a new Statewide Planning Council for Postsecondary Education. The Planning Council, separate from the Board of Regents, has yet to be enacted in New York State, but the Keppel Task Force recommendation covering selection of the Regents and planning for higher education strongly influenced the deliberations of the Wessell Commission. 41

Commission Objectives. The objectives of the Wessell Commission may be taken from the enabling legislation which included the charge to "recommend a detailed plan of action embodying the findings of its... comprehensive study of postsecondary education in New York State." The subjects for study included:

Appropriate governance and financing structures of the State and City Universities and the Community Colleges; the allocation of public resources to the independent sector of post-secondary education through direct grants, contracts and student tuition subsidies; the role of the Board of Regents in postsecondary education; and the implications for public policy of emerging trends in college attendance, manpower requirements and other societal needs.⁴³

In its final report, the Commission operationalized eleven objectives, related to the above legislative charge but stated somewhat

governance structure for effective planning and review of academic programs, resource allocation, and facilities; to promote, at the same time, more extensive campus autonomy; to assure the continuing excellence of the State's major national research universities, public and private; to maintain a healthy balance of enrollment between public and private sectors; " and other objectives. 44

Assessment of Objectives. Each staff member was asked the extent to which the Commission met each of the eleven objectives as specified in the enabling legislation. Analysis of staff responses indicates that few of the staff believed that the Commission's report either fully met the objective or that the report did not meet the objective at all. The staff reactions were mixed and ranged from "generally" to "hardly" met the objectives. Because of these mixed reactions, modal distribution patterns will be reported.

In the area of governance, the modal response of staff was that the Commission's report somewhat met its objective regarding SUNY and the community colleges, and generally met its objective regarding CUNY. The Commission's recommendations pertaining to the long-range structure for the public sector had been the major focus of negative public reaction. In fact, reactions to these governance recommendations were strongly and consistently negative excepting by those few institutions which undoubtedly saw the recommendations as favorable to their own situation. The Commission envisioned a restructuring of public sector governance along a two-tiered



arrangement with the SUNY University Centers, the CUNY four old senior colleges and the Graduate Center, the two medical centers, and the statutory/contract colleges at Cornell and Syracuse constituting one system to be called The University of New York. The remaining four and two-year colleges would be a part of The Empire State University, organized in three regions. Reactions to this proposal were a virtual cacophony of negativisms including "radical," "convoluted," "unworkable," and "ludicrous." In fact, reactions to the government proposals were so dominant that many of the Commission's other recommendations were virtually ignored.

During the Commission's deliberations, it was clear that the proposals under consideration might have chosen to leave the present arrangement alone; New York's public higher educational systems are geographically-based and each contains institutions of varied purposes. 46 Even within the present structures, consideration could have been given to inter-system cooperation such as CUNY and SUNY are now implementing including cooperative committees involving trustees, faculty, and staff. A second approach might have been along the three-tiered California model with a separate system for two-year colleges. This arrangement, strongly preferred by some staff, appears to have disadvantages primarily along elitist lines of argument. A third model is provided by other states where higher education is geographically-based with regional universities. Finally, a merger of CUNY and SUNY might have been attempted. Such a merger was reported widely in the press but was essentially discarded because of the



management problems inherent in such a gigantic single system.

In the area of finance, the responses of the staff who were interviewed were very mixed. On the financing of SUNY, an equal, number of staff responded that Commission objectives were generally, somewhat, or hardly met; and there was a bimodal distribution regarding the objectives on community college finance having been met generally to somewhat. In regard to CUNY finance, the modal response pattern showed that staff believed that the Commission's objectives generally had been met. This diffuse pattern of responses is related to the ways in which the Commission treated financing in the report. There were financial considerations throughout the report. Specifically, recommendations on finance pertained to a short-range CUNY recommendation of increased support for fiscal year 1978, a long-range set of recommendations on the controversial issue of parity between CUNY and SUNY, a recommendation regarding an increase in Bundy Aid, and recommendations on TAP.

There were three large issues concerning the financing of the City University. The first issue was to assess the extent of support for the University, and in short there was never any question about support for CUNY. The second issue was the level of support needed by CUNY in the next fiscal year. The third a more complicated issue was the longer-term financing of the City University. Although the Commission devoted considerable time and staff effort to the first two issues, these essentially may have been non-issues at least for a blue-ribbon Commission. It was

patently clear that support for CUNY was strong and broadly-based. The level of support for CUNY, as an immediate issue, was a political question which the legislature resolved. The longer-range questions were more complex and warranted more study than the Commission was able to provide. These long-term questions included the sources of funding for CUNY and the nature of State support to CUNY and to SUNY. The threat by the City to terminate its fiscal support to CUNY began early in 1976 and still continues. To some observers, it is inevitable that the City will cease its fiscal support to SUNY; the only question is the date of termination. Some de facto State takeover of CUNY funding would seem to be a reality. When this occurs, there will be the problem of the way in which the State will support CUNY vis-a-vis SUNY, and that question is subsumed under the notion of parity.

Even before the Commission was created, parity/equity became an important topic in the State Capitol. Some referred to this issue as equity and some termed it parity. The intent was similar, and that was to devise a means by which the City and State Universities could be comparably discussed and equitably financed. On a technical level, parity takes cost differentials among institutions and programs into account and funding formulae are weighted accordingly. The material on parity in the Commission's report is not conceptually different from the direction in which the Division of the Budget already has moved. But in less technical terms, the issue of parity provided an opportunity to discuss and compare

two rather different systems. It was in this area of comparability that the Commission could have made great progress. The Commission had "the opportunity to make a substantial contribution in the area of parity/equity," in the words of one fiscal expert, but it was unable to do so. In fact, there was evidence to suggest that the parity issue was the predominant issue for examination by the Commission.

(The Governor) pledged at that time (May 20) to secure equity in funding between the City University and the State University for comparable programs, levels of service and scope of mission. That goal remains firm and will be a principal subject of attention for the new Temporary State Commission. 48

The topics of access and the private sector were other major components of the final Commission report. The staff who were interviewed responded that they believed the Commission had generally met its objective regarding private sector recommendations. In the cover letter to the final report, the Commission said that it would not treat fully the issues of tuition pricing and the private sector. Yet, its recommendations concerning increasing the maximum TAP award (approved by the 1978 legislature) and raising the Bundy Aid award at the Ph.D. level obviously would benefit? the private sector. This occurs at a time when there is beginning evidence of errollment shift from the public to the private sector.

The final topic in the Commission's report was the role of the Board of Regents. More than the other objectives, the staff who were interviewed said this particular objective had been fully or generally achieved. The Commission's recommendations were reacted to predictably by the Regents

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the recommendations would have far-reaching changes for the Board of Regents. First, the Regents would be gubernatorially-nominated, rather than legislatively elected. Second, seven of the 15 Regents would be designated as Higher Education Regents. Third, some of the Regents' vast responsibilities would be vested in other State agencies. Finally, the Regents would be given budget review over the budgets of public institutions as well as the responsibility for reviewing all capital planning throughout the State. In what was termed "politically naive" by one legislative staffer, the Commission report noted:

If the Legislature rejects these proposals which the Commission considers as crucial to rendering the Regents an effective policy-making group, we then recommend the creation of a Council on Postsecondary Education. This Council should be nominated to the Governor and approved by the Senate or Legislature. It should be charged with the higher education functions presently exercised by the Board of Regents. 49

The Policy Impact of The Commission

Examination of the general impact of the Wessell Commission begins with a consideration of the resources and time frame available to the Commission, and an assessment of the influence and impact of the report upon State lawmakers.

Resources and Time Frame. The personnel resources included five commissioners, twelve part and full-time staff based in two cities, and several consultants. When the idea of a temporary commission first was initiated in State government, one proposal advanced in the legislature

include a study of all of postsecondary education in the State. In the enacted legislation, the size of the Commission was reduced to 5 members, the time frame was shortened from 2 years to 9 months, and the scope of the Commission's charge expanded greatly. The actual charge to the Commission is represented by cell IV in Figure 1.

It is of interest to note that lawmakers might have assigned two types of charges to the Commission, and either may have had greater potential for success than did the actual Commission. The charge might have been expansive, i.e. study all of postsecondary education in the State, with a study group of large size having a longer time frame, represented by cell III in Figure 1. Another option would have been a limited charge with a small Commission having a short-range time frame, represented by cell II. in Figure 1. Unfortunately, both the initial and the actual legislation, as shown in Figure 1, amounted to the least satisfactory of the four options. In the initial legislation, the size of the Commission was too large and its time frame was perhaps too long. In the actual legislation, the size of the Commission was too small and its time frame was too brief. A member of the legislative staff commented, "The Commission was faced with an inappropriate time element and a huge charge; in fact, the Commission could have initially said that what was asked simply could not be done in that time frame. An alternative would have been to focus only upon a few critical issues, such as parity, sector governance and relationships, and the Regents."

Given this enormous task, the Commission organized itself in two



locations, New York City and Albany. Two of the five commissioners were located in the City along with a staff of five. Three commissioners were out of State. The Albany staff had seven members. While fiscal resources to the Commission appeared to be adequate, problems with personnel resources were encountered. First, the legislation establishing the Commission was signed by the Governor on June 12, but the commissioners were not appointed until late August. Second, the Staff Director was hired in September, and the Associate Director was hired in October. The New York City staff was operational in October, but the Albany staff was not fully in place until December. Third, the commissioners had other time-consuming and demanding commitments, making the scheduling of working sessions difficult. One commissioner was on-call because of federal-level matters in another country; three other commissioners had demanding schedules and traveled frequently. Taken together, these personnel and administrative constraints placed a severe burden upon the Commission leadership. If the Commission had nine full months after it was fully operational, its efforts might have been more productive. In view of these constraints, the comments of one legislative staff member seem. prophetic, "When the legislation was passed, there was a sincere desire to see the Commission work out successfully. Then we waited all Summer' for the appointment of the commissioners. After the commissioners were appointed, we never saw them, and the credibility of the Commission really declined."

The staff who were interviewed were asked about the commissioners and the Commission staff. The modal patterns of responses indicated that the staff believed that the commissioners were "somewhat" appropriate for the objectives of the Commission. More positively, staff responded that the Commission staff seemed to be generally appropriate for the tasks of this Commission.

Executive and legislative staff members regarding ways in which the Commission might have had an impact upon public policy for postsecondary education. First, one actual outcome of the Commission was in precipitating debate on the issues. The staff who were interviewed responded that the Commission generally helped focus attention and precipitate debate on the issues. Next, staff were asked about contributions made by the Commission in generating data and analytic frameworks. Over half of the staff who were interviewed felt strongly that the Commission had neither provided new data nor contributed analytic frameworks. Then, staff were asked about the depth and detail of the Commission's final report; two-thirds of the staff believed that the final report was barely of sufficient depth and detail.

The staff were asked about the influence or impact that the report made on legislation, on legislators and staff, on the Executive staff, and upon educators. Only in the area of influence upon educators did the staff who were interviewed believe that the report made any impact at all. Yet,

the staff judged that the report made hardly any impact even upon the higher education community. As to the impact upon lawmakers, the Commission was assessed as having made no impact at all. One member of the legislative fiscal staff remarked, "One measure of the impact of a commission is the number of calls which I get from legislators on the commission's report. In the case of Wessell, I got no calls from legislators. At this point, few people can even remember what was in the final report. "50

The staff were questioned about any contribution which the Commission might have made toward creating new leadership in higher education. A recent evaluation of commissions at the national level indicated that in the case of the Carnegie Commission on Higher Education, its leadership was astute at such things as attracting news coverage and maintaining open lines of communication with the press. 51 Unlike Carnegie, the Wessell Commission was deemed to be not at all influential in creating new leadership for higher education in the State. One fiscal staff member said that the Wessell Commission mishandled the way in which its final report was communicated to the press. "It appeared that the commissioners were not supportive of their own recommendations. In fact, they seemed to be relieved that it was finished. They wasted no time in getting out of town." 52

In summary, the research showed that in the views of these fourteen Executive and legislative staff, there had been a definite need for

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most of the stated objectives of the Commission, especially those dealing with the Board of Regents, allocation of resources to the private institutions, and public sector governance. But as to the impact of the Commission upon policy makers and upon higher education, the views of staff were much less favorable. In fact, the Wessell Commission had very little influence upon higher educational policy. Analysis of Staff Responses

The reasons for the Commission's lack of impact are linked to a variety of factors and conditions. First, the final report of the Commission contained insufficient evidence about the apparent necessity for major policy change. There was ample contextual information which described the nature of the difficulties in the City University, the decline in the State's economy, and the future enrollment decline. There was not enough evidence in the final report, however, as to why the current structure for higher education was inadequate or ineffective, especially in regard to the two major public systems. While some staff who were interviewed appeared to be sympathetic to the notion that bureaucratic, centrallymanaged higher education systems may have significant problems, they were disappointed that the final report did not offer convincing evidence as to the need for change. Indeed, the literature has suggested some fundamental problems with highly centralized, public higher education systems and the control of these systems by what one author has termed "the anonymous leaders of higher education. "53 In the absence of hard data, the call for reform by

the Wessell Commission offered inadequate rationale for basic change.

Second, the Commission spent too much time and devoted too many of its resources to the resolution of short-term budgetary issues. Nearly one-half of the staff were assigned to studying the City University of New York, and the outcome of this effort was a series of recommendations pertaining to the short-term situation of CUNY. Instead, much more effort should have been committed to inter-sector relationships and to longer-term issues affecting both of the major public systems.

Third, the Commission did not adequately treat the broad policy questions needing longer-term solutions. Some of these questions would have been the following:

- What should be the role of the Regents in academic planning for all of higher education?
- In what ways should the Regents be accountable to State. government?
- What are the options for public sector governance, both in the short-term and in the long-term?
- How should parity be defined and operationalized?
- What should be the role of State-level agencies as well as individuals institutions in quality control of academic programs?
- What should be the balance between public and private sector enrollments?

One experienced staff member commented that "in a sense, the Commission bought time for all of us, but during this period some of the immediate problems disappeared. The Commission should have gone much farther in helping lower the level of rhetoric between public and private sectors, and

they should have provided more options for long-range governance. "54.

Fourth, the Commission should have focused more of its recurrence on the question of parity of funding CUNY and SUNY. This issue provided the means to give a new conceptualization to visible problems which introduced actors were unable to resolve. Not only could parity have been treated a technical issue as, in fact, the Commission attempted to do, but also could have been a catalyst for an investigation of longer-term ways in the two public systems could be funded by the State.

Finally, there was the issue of implementation. Just as the commission was created out of a nexus of issues having economic, educational, political dimensions, so its implementation would have to take into account the relationship between education and the political process. For process, for process, for process, for process, for process, for process and the relation was given to the packaging of bills for legislative consideration and to bill drafting. In the absence of these considerations, much on the Commission's thinking remained in the abstract.

Concluding Observations

This analysis of the outcomes of the Wessell Commission leads of several concluding observations.

In New York State, the structure for higher education is completely interrelated with the State's economic and political environment. The State has a large number of private institutions, a geographically-dispersed State University of multiple-purpose institutions, and a New York City-based

of multiple-purpose institutions whose funding has been shared by both the City and the State. In much the same way as the public sector separation during the 1960s was related to the favorable economic and political conditions of that period, so the contraction of higher education will be interrelated with the economy and the political environment.

Resolution of higher educational problems must take into account

a variety of political considerations. In this analysis we have seen the

ways in which the City University was eied to the political process at

both local and State levels. As questions of financial support and program

reduction are debated, it will be of critical importance not to ignore the

realities of local and State politics. Higher education and politics in

New York are emeshed, and secisions involving constraint and reduction

will tend to involve centripetal forces which pull higher education inward

toward the political process.

while outside experts may be useful in analyzing issues and alternatives, those who are most knowledgeable about higher education and the State must be either directly associated with or involved in the formulation of policy alternatives. The experience of the Wessell Commission may provide a model for future action. The involvement of people not directly within the structure of higher education and government may contribute to objectivity of problem analysis. Within the higher education community and in government, however, there are a considerable number of knowledgeable pages.

might be a park of the formulation of future policy alternatives for higher education. There is a delicate balance between the objectivity of cutside experts and the knowledge of those inside the system. Some combination of the two should be considered.

York State must take into account both an enrollment decline and probable program reductions. This raises the most serious and sensitive questions for the higher education community. How much enrollment decline can be sustained without reductions in programs and perhaps in the number of institutions? Given manpager needs, how much duplication currently exists in specific fields and in academic programs in New York institutions? What should be the criteria for the elimination of programs and of institutions? Who should be involved in decisions about contraction and reduction? The current doctoral review efforts of the State Education Department cannot be conducted in isolation from institutions and faculty, but attaining a balanced involvement of both State and institutional representatives will continue to be a most difficult issue.

open conflict among sectors and institutions must be reduced by a renewed willingness for inter-sector and inter-institutional cooperation. In a State where higher education is such a large enterprise, there will be material contention among institutions. In the face of accelerating

for students. Such conflict must be resisted by institutions and watched carefully by State agencies. State-level agencies have a critical role in the monitoring of inter-institutional relationships.

Increase in State funding of the City University does not preclude CUNY's identification with the special needs and circumstances of the City. During the CUNY crisis, a great deal of press, coverage was devoted to a perceived loss in autonomy for the City University in the face of increased State funding. It may be time in the Empire State for a new vision of higher education, where institutions are viewed in relation to the educational needs and especities of the entire State. Such a vision does not preclude specific institutions meeting local needs, much in the way in which community colleges have unique linkages with local sponsors. It may be possible for the City University, using the community college model, to operationalize a State-local partnership based upon shared costs.

New York State has a unique opportunity to create cooperative relationships in the formulation of policy alternatives for the future.

A new leadership configuration is now in place in the State with a newly-appointed Commissioner of Education, a Deputy Commissioner for Higher Education in the State Education Department, and a new SUNY Chancellor.

Together with the Commission on Independent Colleges and Universities and the City University of New York, these officials have the opportunity to forge new relationships. The future of postsecondary education will benefit more from working toward consensus than from evolution by piecemeal legislation.



FOOTNOTES

- Interview with a member of the legislative staff, Albany, New York, February, 1978.
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- Edward R. Hines, "Analysis of the Tuition Assistance Program," Albany, New York: Wessell Commission, December, 1976.
- Karen J. Winkler, "State's Power to Close Ph.D. Programs Is Upheld by a New York Court," The Chronicle of Higher Education, 13:20 (January 31, 1977).
- Testimony of the SUNY Chancellor at a public hearing on the "Regents Tentative Statewide Plan for the Development of Postsecondary Education," Albany, New York, September, 1976.
- Testimony of a SUNY Trustee to the Second Draft of the "Regents Tentative Statewide Plan for the Development of Postsecondary Education," Albany, New York, October, 1976.
- In New York State, the Commissioner of Education is the administrative head of the State Education Department and President of the University of the State of New York.
- See Dee Sieglebaum, "Nyquist Rule 'Crumbling,'" <u>Times-Union</u>, Albany, New York, September, 26, 1976; and Gene Weingarten, "Dyson: Hatchetman or Hipshooter?" <u>Knickerbocker-News</u>, Albany, New York, September, 28, 1976.



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Interview with a member of the Executive staff, Albany, New York, February, 1978.

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Interview with a member of the legislative staff, Albany, New York, February, 1978.



The Objectives of the Commission

The governance structure of SUNY

The governance structure of CLNY The governance structure of the community colleges The financing of SUNY The financing of CUNY The financing of the community colleges The criteria for parity of funding between SUNY and CUNY The funding mechanism for payment of CUNY debt service for capital construction Allocation of public resources to the inedpendent sector The role of the Board of Regents in postsecondary education The implications for public policy of emerging trends in college attendance, manpower requirements, and other societal needs

Questions pertaining to a more genral policy impact

Was there a need for this Commission? 'We're these Commissioners appropriate for the stated objectives of the Commission? Was this staff appropriate for the stated objectives of the Commission? Did the Commission help focus attention or precipitate debate on the issues? Did the Commission contribute new data? Did the Commission contribute analytic frameworks? Was the report of sufficient depth and detail? Did the report make any impact on public policy for postsecondary education in New York State? Did the report result in any legislative

changes?

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Did the report have influence on legislators and staff?

Did the report have influence on Executive staff?:

Did the report influence educators' views about the problems addressed by the Comission?

Did the Commission contribute new leadership in higher education and public policy in New York?

Did the report make an impact on you, personally?