

The State Board of Regents met at Iowa State University, Ames, Iowa, on Thursday, December 15, 1977.

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Members of State Board of Regents:

Mrs. Petersen, President	All Sessions
Mr. Bailey	All Sessions
Mr. Barber	All Sessions
Mrs. Belin	All Sessions
Mr. Brownlee	Arr. 9:25 a.m.
Mr. Harris	All Sessions
Mr. Shaw	All Sessions
Mr. Slife	All Sessions
Mr. Wenstrand	All Sessions

Office of State Board of Regents:

Executive Secretary Richey	All Sessions
Ms. Bacon	All Sessions
Mr. Barak	All Sessions
Mr. McMurray	All Sessions
Pauline K. Van Ryswyk, Secretary	All Sessions

State University of Iowa:

President Boyd	All Sessions
Vice President Brodbeck	All Sessions
Vice President Jennings	All Sessions
Assistant to President Mahon	All Sessions
Assistant Vice President Small	All Sessions
Director Hawkins	All Sessions
Director Tobin	All Sessions

Iowa State University:

President Parks	All Sessions
Vice President Christensen	All Sessions
Vice President Hamilton	All Sessions
Vice President Moore	All Sessions
Assistant to President Henry	All Sessions
Assistant Vice President Madden	All Sessions

University of Northern Iowa:

President Kamerick	All Sessions
Provost Martin	All Sessions
Vice President Stansbury	All Sessions
Vice President Voldseth	All Sessions
Director Kelly	All Sessions

Iowa School for the Deaf:

Superintendent Giangreco	All Sessions
Business Manager Kuehnhold	All Sessions

Iowa Braille and Sight Saving School:

Superintendent DeMott	All Sessions
Business Manager Berry	All Sessions

GENERAL

The following business pertaining to general and miscellaneous items was transacted on Thursday, December 15, 1977.

INTRODUCTION. President Parks introduced to the board Iowa State University's new Vice President of the Student Body, Dave Fischer. President Petersen welcomed Mr. Fischer to the board meeting.

INTRODUCTIONS. Mr. Richey introduced three new Board Office staff members to the board: Mrs. Betty Sands, secretary, Research and Information; Mrs. Karen Vosberg, secretary to Mr. Richey; and Ms. Janet Bacon, Research Analyst. President Petersen welcomed the new Board Office employees to the meeting.

APPROVAL OF MINUTES OF NOVEMBER 18, 1977 MEETING. The minutes of the State Board of Regents meeting held November 18, 1977 were approved as corrected.

COMMITTEE ON EDUCATIONAL COORDINATION. A. Preliminary Report on Program Duplication. The board was requested to approve the recommendation of the Interinstitutional Committee on Educational Coordination, which proposed a revision of the program review questions utilized by the board. The purpose is to give greater emphasis to the issue of program duplication during consideration of proposed new programs. This effort would be carried on by the committee in close consultation with the Board Office.

The Board Office reported that the Interinstitutional Committee on Educational Coordination has consulted with the Board Office regarding the issue of unnecessary duplication. There is a need to tighten up the Regents' procedures in this area. It was recommended that the committee work closely with the Board Office in developing the necessary revision of the Procedural Guide.

Mr. Richey said he hoped that this matter could come back to the board by March of 1978 so the executive and legislative concern would be answered in a timely manner. President Petersen asked Vice President Martin if Mr. Richey's suggestion was possible. He responded affirmatively.

B. Evaluation of the Quad-Cities Graduate Study Center. The board was requested to accept the State Extension and Continuing Education Council's report on the evaluation of the Quad-Cities Graduate Study Center.

Vice President Martin introduced Professor Ralph E. Patterson, College of Engineering (Extension), to the board who was present to answer any questions.

The Board Office reported that the Quad-Cities Graduate Study Center is a publicly-funded academic consortium comprised of ten universities and

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colleges from Illinois and Iowa. The objectives of the center are: 1) to provide coordinated graduate degree programs in the Quad-Cities and 2) to increase continuing professional educational opportunities to individuals who do not desire a degree sequence. The center seeks to serve the unique needs of professional employees who are too involved with the job, family, and community responsibilities to pursue full time a graduate program on a university campus.

The center offers master's degree programs in the following fields: business administration, education, engineering, English, physical education, political science (public administration), and social work. Specific areas of concentration are available in engineering and education. Courses in other fields and disciplines are also available, although no formal degree sequence exists.

During the 1976-77 academic year, approximately 5,000 registrations were reported representing 3,500 students. Converted to full-time student equivalents, this represents a student body in excess of 650, placing the center in the upper half of graduate schools nationwide based on size.

In reviewing the results of various studies, the State Extension and Continuing Education Council concluded that the Quad-Cities Graduate Study Center is a viable consortia serving specific needs. The council indicated that the center has an important mission, an administrative and organization structure and limited resources for program development. The center can be judged to be successful, according to the council.

The State Extension Council has expressed a concern from its perspective regarding the dominance of Western Illinois University in course offerings by the center. In addition, the council raised again the issue of tuition equalization which has been before the council of member institutions and the center governing board on numerous occasions. The council's report noted that given a continuation of differences in institutional tuition rates, the solution may be found in center operating procedures which include the approval of programs and the functioning of program committees (including the recommendations of courses to be approved for offering at the center in support of graduate programs).

Regent Bailey asked about the difference in tuition rates between Iowa and Illinois. Professor Patterson reported that the Center Review Committee is currently working on that matter. He added that time will erase the problem which currently exists in the difference of tuition rates.

Mr. Barak reported that the Board Office has on file a complete copy of the evaluation if board members are interested.

In absence of objections, President Petersen accepted the report on the evaluation of the Quad-Cities Graduate Study Center by the State Extension and Continuing Education Council for the board.

C. Proposed Center for Research on the Psychological Disorders of Children at the University of Iowa. The board was requested to grant approval of the Center for Research on the Psychological Disorders of Children at the University of Iowa, which was referred to the Interinstitutional Committee on Educational Coordination at the last board meeting. It was noted that the Interinstitutional Committee on Educational Coordination also recommended approval of the proposed center.

The Board Office reported that the Committee on Educational Coordination felt that the establishment of such a center would encourage interdisciplinary research by creating an appropriate structure within which present faculty resources could be expanded and enhanced through collaborative efforts. Faculty members in neurology, psychology, speech pathology and audiology, child psychiatry, and sociology will be able to participate in center activities while maintaining departmental ties. The research conducted in the center should be credible to consumers because it will examine psychological disorders in relation to the behavior of normal children. The center will also establish a data archive.

Regent Wenstrand asked for more information regarding the proposed center. Specifically, he asked if it would be a vehicle for formation of a program and whether additional personnel would be needed. President Boyd said that basically personnel currently in the various colleges and departments will be used in the center. He said there will not be "appointments" in the center, as such.

MOTION:

Mr. Bailey moved the board approve the Center for Research on the Psychological Disorders of Children at the University of Iowa. Mr. Barber seconded the motion and it passed unanimously.

IOWA STATE UNIVERSITY SOCIAL WORK ACCREDITATION. The board was requested to accept the report on accreditation of the Iowa State University Social Work Program.

The Board Office reported that in October of 1976 Iowa State University applied for accreditation of its baccalaureate social work program to the Council on Social Work Education, the national accrediting body.

As support for its bid for national accreditation, the university completed a self-study that described the objectives, program content, faculty, students, admissions, advising, administrative auspices, prior educational achievement of students, and general program requirements. Following submission of the self-study, a site visit was made by the Council on Social Work Accreditation in May of 1977 and a report was sent to Iowa State with request for a response, particularly with regard to any inaccuracies in the report.

Iowa State University sent its response to the Council on Social Work Accreditation and was accredited on October 7, 1977, retroactive to the academic year 1976-77 and until November of 1979. The letter of acceptance noted five areas warranting attention as program evaluation and development continue. The Board Office's memorandum to the board briefly summarized

the program as described in the self-study document and analyzed the site visit report and the department's response to that site visit report.

Regent Shaw asked if the board's acceptance of the report would indicate that eventually people will be able to go into social work without graduate work. He said he would favor same. President Boyd responded that Regent Shaw's comments extended into an area of some concern, i.e., the intrusion of accrediting agencies into undergraduate education, a practice that was restricting entry for liberal arts graduates into professions because of a narrowly circumscribed undergraduate curriculum. President Boyd added in more direct response to Regent Shaw's question, that the field of social work has not receded at all from its master's degree level requirement for practice in the field.

In absence of objections, President Petersen accepted the report on accreditation of the Iowa State University Social Work Program.

GOVERNANCE STUDY, IOWA SCHOOL FOR THE DEAF AND IOWA BRAILLE AND SIGHT SAVING SCHOOL. The board was requested to authorize the establishment of an ad hoc committee to undertake a detailed study of the facts and implications of incorporating the Iowa School for the Deaf and the Iowa Braille and Sight Saving School as a part of one of the three Regents' universities.

The Board Office reported that earlier this year the board requested that the Board Office undertake a study of the governance of the Iowa School for the Deaf and the Iowa Braille and Sight Saving School. This request arose out of a number of concerns and questions that board members and others have had over a long period of time regarding the two schools.

Regent Shaw asked if Public Law 94-142, which requires that the agency responsible for administering the law (in Iowa this agency is the Department of Public Instruction) "supervise" all programs for the handicapped, is forcing the board into some action at this point. Mr. Richey said that while it was an initial concern, it was not necessarily the reason for the governance study.

Regent Shaw said he wondered, since the board was considering the desirability of making a substantial change in governance, if it shouldn't broaden the study to include persons beyond the Board of Regents and its institutions. He added that it seems to be a matter of legislative policy as to where the governance of the Iowa School for the Deaf and the Iowa Braille and Sight Saving School lies. President Peterson commented that several resource people from the State Department of Public Instruction participated in the reservoir of interviews that took place on the governance issue. Regent Shaw added that he was not in favor of "attaching" the two special schools to one of the other board's institutions. He said he would view university supervision over the special schools to be that of attachment rather than as an integral part of the university. He said it would be difficult to extend a university all the way from the graduate medical level down to the

kindergarten level. He commented that he felt too many layers would be involved between the board and the two special schools if they were placed under one or more of the universities. He added that attaching one or both of the schools directly to the office of a university president would be too much of a burden.

Regent Belin suggested the committee look at more alternatives for the governance situation than the Board Office presented in its memorandum to the board. She said she didn't feel that giving a committee the charge of deciding how to incorporate the special schools into one or more of the universities would be a wide enough charge. She said a number of options should be looked at, including those for either retaining the present governance system or changing it.

Regent Slife said that just because something has been done historically a certain way should not indicate that that is the best way to continue doing it. He commented that he does not feel the board does a very effective job of supervising the Iowa School for the Deaf and the Iowa Braille and Sight Saving School. He admitted that while he did not have an answer to what a better system would be, he felt the board ought to be looking for one. He noted, however, that the decision is ultimately that of the legislature.

Regent Harris commented that he felt the Board Office recommendation was an excellent one and said he felt it was a good point from which to start. He recommended the board support the Board Office's recommendation.

Regent Shaw commented that he feels the board spends as much time with the matters of the Iowa School for the Deaf and the Iowa Braille and Sight Saving School as it does with its universities when a serious issue arises, such as the search for a superintendent. He added that in proportion to the number of dollars and square feet, the board probably spends as much time on matters relating to the two special schools as it does on those pertaining to the three universities.

Regent Bailey expressed concern that if the special schools were placed under one or more of the universities, they would lose their basic purpose as far as their original creation is concerned. He said he feared that they would then become laboratory schools based on a function of university programs as opposed to serving the need of handicapped people of the state.

Mr. Richey said one could question at the outset whether an agency or board which has institutions under its jurisdiction could be objective in assessing where those institutions ought to be placed in the state's total organizational structure. Mr. Richey noted that he would not have accepted the assignment had he not felt completely objective about the study in terms of not prejudging the outcome and not having a proprietary interest one way or another. He reported that such an objective approach was taken throughout the study. Mr. Richey emphasized that consultation on the matter took place with persons from the area education agencies, the Department of Public Instruction, persons at the two special schools, the Association for the Blind and Deaf, the Governor's Office, and the consultant team for the Iowa School for the Deaf.

Mr. Richey reported that six alternatives were looked at before the Board Office came up with the recommendation now before the board. The six alternatives follow:

1. Continue the present governance structure. Mr. Richey noted that this option, while providing the least resistance, may not provide the best services for Iowa's handicapped and physically-impaired students. He said the Board Office concluded that to continue the present governance structure would not be adequate.
2. Seek legislation to make the two specialized schools a part of the Department of Public Instruction. Mr. Richey commented that the Department of Public Instruction has oversight of all elementary and secondary education in the state, including area education agencies, and also has a fairly large division of special education. For this reason, there was superficial attraction to this alternative in the beginning. (In addition, approximately 40% of the nation's states have such special schools under departments of education.) Mr. Richey reported, however, that when the Board Office looked at the real function of the Board of Public Instruction and the Department of Public Instruction, it was concluded that that agency's function is not institutional governance, but the coordination and leadership role in the administration of state aid programs.
3. Seek legislation to make the two specialized schools a part of the area education agency (AEA) structure and operate them as consortia-type arrangements for the benefit of the local AEAs. Mr. Richey said that in order to allow the AEAs to take on the responsibility for the operation of the two specialized schools, a new bureaucracy would need to be created, such as a state-wide school district. Another problem with the AEA approach would be the strain that such an operation would have on local funding sources, since some of the support burden would likely be transferred to the local districts. There would also be traumatic changes in operational procedures, personnel and budget policies, etc. In addition, the differences in outlook which currently exist between the two specialized schools and some AEAs might result in drastic personnel and other changes, which might not be in the best interest of the students. In fact, the problem of providing the students with the most appropriate education may be further exacerbated by the AEA option.

Mr. Richey reported that the advantages to the AEA approach, which prompted its consideration as an alternative, related to the AEAs' statutory responsibility for coordinating the delivery of special education services and existing authority for the AEAs to combine resources in providing a joint operation for special education services.

Regent Belin asked Mr. Richey if the area education agencies help the Board of Regents' institutions with their special personnel in the consultant capacity, etc. Mr. Barak reported that, if anything, it is more the other way around. The Board of Regents' institutions have provided various services to the area education agencies, as the area education agencies do not now have the level of expertise that the Board of Regents' institutions have.

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President Petersen stated that there needs to be continued growth in the working relationships between the special schools and the area education agencies. She said that relationship needs to focus on helping the student develop to his or her greatest potential.

Mr. Richey reiterated President Petersen's remarks by saying a key issue in the coming year is going to be the relationship between the area education agencies and the board's institutions, particularly as Federal Law 94-142 requires "mainstreaming." He noted the question of "turfsmanship" is also involved.

4. Establish a supervisory division in the Board of Regents' Office for the operation of the two specialized schools. Mr. Richey commented that this option would not be consistent with the historic and present responsibilities of the Board Office as a staff agency to the board rather than a "chancellor type" function. Mr. Richey said establishment of a supervisory unit in the Board Office would change the function of the Board Office as it related to the institutions and such a precedent might raise a problem in the relationship with the three universities.

President Petersen stated that there has been an increasing amount of communication with regard to details and dependence upon the Board Office by the special schools in some areas over the last three or four years.

Mr. Richey said that functionally there is no difference in the relationship between the Board Office and the two special schools and the Regents' universities. Because of the limitations of the size of the staff and personnel in the two special schools, however, the Board Office has done more detailed work with them and provided more expert assistance than it has needed to do at the universities, which have their own staffs.

5. Make the two specialized schools a part of one or more of the Regents' universities. Mr. Richey reported that this arrangement would allow for the improved supervision of the specialized schools by experienced educational administrators. It would also allow for greater interaction of the specialized schools with the Regents' universities in the teaching and research function, thereby providing mutual enrichment of programs at all institutions.

This option would provide opportunities for taking advantage of funds available under Public Law 94-142 to improve the services provided by the specialized schools and the research and teaching functions provided by the universities. The association with higher education would enhance the local, state, and national image of the two specialized schools.

Mr. Richey said that other advantages deriving from the incorporation of the two specialized schools into a university structure include opportunities for continual renewal of the vitality of the educational programs at the two specialized schools, provisions for various services and resources not currently available to the specialized schools,

the possible equalization of staff benefits, and improved possibilities for interagency cooperation. In addition, this change might result in a strengthening of the special education programs at one of the universities and improved and more effective workload for the Regents. This alternative would then provide a specific rationale for those who ask why the schools are associated with the Board of Regents whose primary function or concern is viewed as being with higher education.

Mr. Richey commented that the disadvantages to this approach include the possibility that the costs of undertaking such a change may be prohibitive. For example, the change may make the two special schools' staffs eligible for TIAA-CREF and other benefits and salary levels that they currently do not enjoy. Another problem might be parental concerns about the implications of the change. Mr. Richey made it clear that there was no intent to reduce the services currently being provided to the students of the two schools, but rather, to enhance the programs of the schools.

6. Create a special advisory board for overseeing the two specialized schools. President Boyd suggested this option. This alternative would leave the governance of the two special schools as presently constituted, but would involve appointment of an interinstitutional interdisciplinary advisory committee for each of the institutions. These committees would be chaired by the superintendents and would afford an opportunity for qualified persons attached to each of the three Regents' universities to assist the administration and faculty of the schools in advancing their programs. Mr. Richey commented that a similar suggestion was advanced and withdrawn by the interviewees for the following reasons: 1) it does not provide a substantive solution to all the problems noted earlier, and 2) it may cause organizational difficulties for the institutions and the board without concomitant improvements in effectiveness and function.

Mr. Richey indicated that the Board Office had problems with the proposal made by President Boyd as written. Such a committee appointed and chaired by the superintendents would be something less than is needed to address all of the problems raised during the course of this study. First, there is a tendency for interinstitutional committee members not to be critical of each other. Secondly, this committee as proposed might tend to be self-serving rather than provide objective guidance, which would be counterproductive to the best interests of the two schools.

Mr. Richey said that if the board were to consider this option, he would recommend that the committee be appointed by the board directly; that the superintendents be ex-officio members without vote; that there be one committee for both schools; that the committee not be chaired by either of the superintendents; that the committee issue annual reports to the Board of Regents and that these reports be presented to the board at one-day meetings at each institution; that the committee be advisory to the board; and that the Board Office have representation on the committee.

Mr. Richey stated that regardless of the eventual outcome of this study, periodic examinations of various areas of the board's responsibilities

is a healthy exercise on the part of the board to insure that it is carrying out its responsibilities as effectively as possible.

The Board Office pointed out that over the years the two special schools have maintained programs that are as good as and, in some instances, better than similar institutions around the country and have produced many graduates who have lived useful and productive lives as a result of their education at the schools.

The Board Office, after considerable deliberation on various alternatives, concluded that it would be in the best interest of the handicapped children in Iowa, the board, the special schools, and the universities for serious consideration to be given to changes in the present governance arrangements for the two special schools. Mr. Richey added that there is a lack of clarity as to what the Board Office's actual role is with respect to the Iowa School for the Deaf and the Iowa Braille and Sight Saving School.

The Board Office made initial explorations of the fiscal and legal implications of its recommended alternative. It was estimated that the merging of the special schools into one of the universities would cost about one half million dollars initially and about \$400,000 each year thereafter. While more extensive investigation would need to be made of the fiscal and legal impact of this change, it would appear that there are no fiscal or legal barriers to this approach.

The Board Office noted that thought was given to the collective bargaining implications of a change. While it is possible that major changes could result from such a merger, no major collective bargaining changes appear to be necessary on the basis of the merger alone.

The Board Office recommended that if the alternative it presented the board for approval passed, that the following suggestions be included: 1) that the ad hoc committee weigh very heavily the administrative, financial and program implications of merging the schools into one university as opposed to a merger of each school into separate universities; 2) that the ad hoc committee insure that there be no diminution of present services to the children at the special schools; 3) that the committee attempt to find the university in which the best match in programs and resources can be made with the special schools; and 4) that committees should include representation from the two special schools, all three universities (plus the Committee on Educational Coordination, ex officio, since the committee is responsible for research and academic programs), and the Board Office and would be chaired by the board's executive secretary.

President Parks commended the Board Office for the objective study it made of the alternatives of governance for the two special schools. He commented, however, that he could not be totally objective because he is sympathetic and pragmatic with respect to the issue. He said he feels that the institutions are fine under the present governance. He noted that the board has always shown interest in the problems of the two schools. He suggested an evolutionary process with respect to any change in governance of the two special schools, if any is to be made, than a "root and branch" reconstruction. He added that he had no difficulty, either, subscribing to President Boyd's recommendation.

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President Boyd expressed agreement with President Parks. He said that the special schools are institutions of long traditions and were established in Iowa City soon after the State University of Iowa was established. While it is not necessary to do forever what has been done in the past, it is necessary to take into consideration that these are institutions with long traditions and long focus. Also, the primary functions of the university of teaching and research must be taken into consideration. When a university operates a university school, the principal purpose would be to provide experimentation in curriculum development. The education of the students is a principal aspect of the functioning of these two specialized schools.

In considering where the two schools should be located in the event that they are incorporated into a university, given their mission of service and the university's mission of teaching and research, President Boyd felt they would probably go under a college of education or, in the case of the University of Iowa, under health sciences. Quite clearly, they would not report directly to the president. The purpose of any incorporation would be to achieve some kind of educational quality. Such quality is the main concern in the proposed study. Concerning the educational program, President Boyd stated that very healthy tensions exist between the Iowa School for the Deaf and some of the faculty at the University of Iowa, because the University of Iowa has been a pioneer in one aspect of education for the deaf. President Boyd felt these tensions should be brought to bear on the special schools, so that they are up to date and the tension functions most effectively.

For the above reason, President Boyd recommended the advisory committee alternative. He said he felt an advisory committee responsible to the superintendents would be effective because the board selects the superintendents and can remove them if they do not perform satisfactorily. Such a committee would systematically look at the educational program of the two specialized schools in the same way in which the university looks at its own educational program in order to make systematic changes within programs.

Regent Belin said that the most important thing that must be considered with respect to governance of the two specialized schools is what is best for the students, what will insure that they have the best possible education in the most helpful way with the most up-to-date curriculum developments, without any loss of autonomy and tradition. She concurred with President Boyd's evaluation that the major issue in the governance study is not the facilities of the special schools, but their curriculum and the need to be up to date in that regard. Regent Belin felt that an advisory committee of professionals from the university would be appropriate because its expertise could be brought to bear in a dialogue with the faculty and the superintendents of the special schools over a period of time. Regent Belin felt that if this mechanism were not adequate for the governance, then it might be appropriate to talk about "root and branch" change in attaching them to one of the universities.

Mr. Richey replied to the earlier assertion of President Boyd that the board's role in the selection or the dismissal of an institutional head and its delegation of authority to that head ought to suffice for governance if some advisory assistance is also offered. Mr. Richey said this

is a fairly good concept for general policy making for the Board of Regents, provided the board has some knowledge about the performance and the problems of the institutions upon which to base its policy and personnel decisions. Under the present governance structure, such information is lacking. Some kind of mechanism needs to be established in order to obtain information and to make evaluations. These evaluations would rest on a broad definition of educational programming and curriculum for the two schools, because the schools not only educate the students, they house them, counsel them, have a parietal relationship, and make judgments about which students should be there and which students should be somewhere else. Because the board may not always get an objective judgment from the area education agencies, the local schools districts, or one of the institutions with respect to these curricular areas and placement decisions, a mechanism must be developed to evaluate work and performance as it relates to the responsibilities to the students in coordination with the rest of the state. Mr. Richey said he feels the universities, given their broad mission in research and instruction, might be the best place to handle those concerns. Mr. Richey added, however, that he did not rule out further exploration of other alternatives in terms of a mechanism for more effective governance.

Mr. Richey commented that the special schools serve the hearing impaired, the sight impaired and the multiply handicapped. The state has urgent need for more trained practitioners, teachers, paraprofessionals, etc., in these areas. He said that the recommendation to place the special schools under one of the universities could encourage their use as training laboratories for some of these professionals.

President Boyd stated that the University of Iowa's Audiology Department has been assessed to be one of the strongest in the country. The university is willing to help the multiply handicapped. He urged, however, that the board carefully weigh all factors before placing the schools under one or more of the universities. He said there is going to be a certain self-serving factor involved in any such incorporation that may be more intense than would even be suspected by putting them under one institution.

Regent Bailey asked Mr. Richey if he felt the concept he addressed could be accommodated by setting up an advisory board such as President Boyd had suggested. Mr. Richey answered in the affirmative, providing the advisory committee would be an "arms-length committee" and if it had responsibility for reporting to the Board of Regents as well as working with the institution.

Regent Bailey expressed favor with President Boyd's recommendation before the board and suggested some modifications, perhaps as recommended by the Board Office in its memorandum to the board regarding the composition of the committee.

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MOTION:

Mr. Harris moved that the board accept the recommendation of the Board Office to authorize the establishment of an ad hoc committee to undertake a detailed study of the facts and implications of incorporating the Iowa School for the Deaf and the Iowa Braille and Sight Saving School as part of one of the three universities and, further, to study other alternatives including continuance of the present governance structure; leave the governance of the two special schools as presently constituted but establish an appropriate committee to advise on the operations and programs of the school including coordination with other educational entities throughout the state and to explore new techniques and procedures the board might put into effect to have more effective policy oversight of these two institutions and to dovetail their programs with the other educational programs of the universities. Mrs. Belin seconded the motion.

President Petersen noted the motion ruled out the Department of Public Instruction and the area education agencies as potential governance bodies and it focused, instead, on how the special schools could be governed within the Regents' jurisdiction for the very best utilization of total resources.

Regent Slife emphasized the point of the motion that, if a committee is formed to undertake the task incorporated in the motion, that committee should look at all alternatives, rather than just the alternative recommended by the Board Office. In response to a point made by President Boyd, Regent Slife said if a committee would be appointed that had relationship with the administration of the schools as well as the board, the superintendents would be under a tremendous amount of pressure. Regent Slife said that an advisory board that works with the special schools on a consulting basis would be better than one from which the board would expect reports from time to time.

President Petersen said there is no question but that the two special schools have benefited from having been a part of the Regents' system. She added that she feels it would be unfortunate if the two special schools would lose their identity by being submerged in a university. She noted that there is an increased awareness of and a commitment to the education of the handicapped. How to go about that, however, causes a difference of opinion. She commented that the board has three institutions with programs for the handicapped, and it would be unfortunate if the board would "cut out two-thirds of that importance" by placing the two special schools under one institution. She indicated it would be unfortunate to undercut the authority of the superintendents. She encouraged the board to recommend that the proposed advisory committee remain "advisory" to the superintendents but should be required, through the superintendent's office, to report to the board from time to time as other bodies do to the presidents of the universities.

Regent Harris emphasized that the recommendation before the board in his motion did not mandate a change in governance of the special schools but merely encouraged the study of the matter.

Mr. Richey reiterated his point that a mechanism must be developed for the effective governance of the two special schools which provides reporting to the board annually about proposed curriculum changes, educational policies, type of student to be educated in the institution, and other related matters. The universities have such a mechanism through the Committee on Educational Coordination, which presumably reviews curriculum changes annually in terms of educational coordination, institutional impact, etc. Were the mechanisms used by the universities to be adapted to the two special schools, it is possible that the current method of governance could be maintained. The initiation of such mechanisms would provide more effective oversight of the institutions. The creation of such mechanisms could be explored as alternatives in the proposed study, as well as what new techniques and procedures the board should put into effect to have a more effective policy oversight of these two institutions in order to merge them with the other educational programs in the universities, area education agencies, etc.

President Petersen said that the board's study of the governance situation did not mean that the board must "repair something broken or wrong," but, rather, provide for growth and improvement.

Regent Belin expressed favor for a more formal mechanism for interinstitutional cooperation. She said she is convinced that the universities have been helping the special schools in the part, but perhaps a more formal mechanism would give the superintendents easier access to assistance from the universities.

Mr. Richey commented that the universities may well have given more services to the institutions, had the institutions been asked. He said providing assistance is a two-way street.

President Petersen then asked the respective institutional superintendents for their comments regarding the governance study.

Superintendent Giangreco welcomed any assistance the board could give the Iowa School for the Deaf, from any source. He noted that historically he has felt free to call on any of the other Regents' institutions for assistance during times of traumatic changes. He noted that Iowa currently has two laws that are in direct conflict with respect to education for the handicapped. The Code of Iowa charges the special schools with educating the deaf and the blind while Senate File 1163 created area education agencies, which gives the AEAs an opportunity to serve special education needs. Superintendent Giangreco said the Iowa School for the Deaf is doing all it can to cooperate with the area education agencies to provide the best possible education for the students.

Superintendent Giangreco reported that the role of the school and the future of the school are changing. It is, therefore, gearing up for those changes. Recommendations with respect to those changes will be before the board in the future.

Superintendent Giangreco concurred with the motion before the board, noting that he felt particularly comfortable with President Boyd's recommended alternative, and welcomed outside expertise. He welcomed the study.

Superintendent DeMott suggested that changes not be entered into too readily. He said making a change does not necessarily indicate that there will be improvement. He said this is a matter which needs much deliberation by the board. He felt his own staff feels a need to know that the board is interested in their welfare and the welfare of the school.

Superintendent DeMott said that some states' special schools envy the Iowa special schools' situation with respect to governance. He noted that being under a board does have distinct advantages. He added that the majority of such schools, which are governed very differently, do not enjoy the advantages available in Iowa.

Regent Slife noted that his interest in the special schools should not be construed in any way to indicate that they are not performing very high quality functions. He said his concern only involves the question of whether the Board of Regents is the most effective mechanism to permit the schools to continue the job they have done historically. Regent Slife said he has felt inadequate, at times, in addressing himself to the special kinds of problems which are evolving with respect to the special schools and wondered if the board is the most effective supervisor of the very important activities occurring there.

Regent Bailey said he appreciated Mr. Richey's approach that the board is going to continue to accept the responsibility for the two special schools. He supported the fact that the motion was broad enough to include such matters as functional improvements in reporting mechanisms. President Petersen noted that the motion included those things as suggested by Mr. Richey.

Regent Harris commended the special schools for the excellent work they are doing. He noted that while the board's discussion indicated no criticism of the institutions, it did indicate that certain things should be studied.

VOTE ON MOTION:

The motion passed unanimously.

LEGISLATIVE PROGRAM, 1978 SESSION. A. Tort Claims. President Petersen reported that an interinstitutional committee has looked at the issue of tort claims and recommended that the board not seek additional legislation at this time.

Vice President Martin, reporting for the Interinstitutional Committee on Educational Coordination, stated in a letter to Mr. Richey that:

- 1) The committee recognizes that this matter involves complex legal, political and financial issues, as well as educational questions.
- 2) An Attorney General's opinion was issued in June of 1977 confirming that residents, fellows, and interns in the health colleges at the University of Iowa and in Veterinary Medicine at Iowa State University would be covered under the Tort Claims Act.
- 3) The committee favors a conservative and explicit definition of the boundaries of tort claims coverage. It was feared that any attempt to include large numbers of students in programs without precisely defined boundaries is likely to meet with strong legislative resistance, to say nothing of philosophical objections of board members.
- 4) The committee favored tort claims coverage for student teachers in colleges of education in Regents' universities; that is, students enrolled in "practice teaching" under professional supervision. However, since the committee was advised that student teachers working for public school districts are arguably covered under the Municipal Tort Claims, Act, Chapter 613A, the committee did not recommend the board amend the Start Tort Claims Act to effect this coverage.
- 5) The committee did not recommend any effort to extend the tort claims coverage to students in other clinical programs with public contact. Part of the reason for this recommendation was due to Ms. Casey Mahon's analysis about the probability of litigation being directed at the state rather than at impecunious students. (Ms. Mahon is Assistant to the President, University of Iowa.) The committee agreed that students should be apprised as fully as possible about the risk to which they may be exposed and that it would be appropriate and prudent to urge them to consider private insurance coverage.
- 6) The committee emphasized that conscientious supervision of student clinical work by faculty and staff is of crucial importance because it provides protection not only for students, but for clients, patients, faculty and staff, the institutions, and the state.

(A memorandum from Ms. Mahon to Vice President Brodbeck relaying Ms. Mahon's concerns about liability coverage for students in the clinical programs is on file at the Board Office.)

President Petersen said there was a question at one time about the liability coverage of the board. Mr. Richey said that if he recalled correctly, the board is covered for everything except willful negligence or malfeasance.

Mr. Richey said a report will come before the board within the next couple of months with respect to tort claims.

B. Appropriation of Federal Funds by the General Assembly. Mr. Richey presented the board an oral report regarding the appropriation of federal funds. He said that the Subcommittee on Appropriation of Federal Funds, a subcommittee of the House Budget Committee, voted out a final bill draft in early November and asked for comments on this matter. Mr. Richey reported that he, with the assistance of the institutions, has been preparing a response.

Essentially, the bill requires that all federal funds received by any state agency or institution be deposited in the General Revenue Fund of the state and be appropriated by the General Assembly, except for sponsored research funds and funds received by the board's institutions for student aid purposes. The bill also provides that special accounts can be created in the State Treasury to receive these funds. If this bill were to be passed, he hoped that extensive use of these special accounts would be made.

Mr. Richey commented that has been partially successful in exempting some federal fund money from control of the General Assembly but indicated that there would still be somewhere in the neighborhood of \$24 million to \$25 million of federal fund receipts subject to appropriation by the General Assembly. Those funds break down as follows:

- \$12 million -- instruction
- \$7.2 million -- extension and public service
- \$2 million -- organized activities
- \$1.3 million -- plant operation and maintenance
- \$.4 million -- library
- \$1 million -- student services and administration

Mr. Richey said the \$24 million to \$25 million total was based on 1975-76 figures. That "ballpark" figure could be \$26 million to \$27 million today. Of that amount, \$9 million is already deducted from the board's appropriations on a dollar for dollar basis and goes into the educational funds of the three universities. There is actually about \$15 million of funds that are not accounted for within the legislative consideration for annual appropriations. Mr. Richey said that federal grants come in throughout the year and are granted for a specific number of months or years. The money doesn't flow with fiscal years; it flows with the progress of the

project. He noted that there is no way to accurately estimate how the funds are going to flow.

Mr. Richey said the bill is going to cause the State Comptroller to establish hundreds of special accounts within the State General Revenue Fund because those funds can be spent for no other purpose other than the purpose for which they are granted. The inclusion in the General Revenue Fund would create the need for separate entries to "knock out" the federal receipts because they don't have any relationship to the State General Revenue Fund. Mr. Richey reported that in terms of purposes for which the board's expenditures are made now for those federal funds flowing into the General Education Fund, about \$1.3 million of that goes into plant operation and maintenance. The universities immediately exclude those funds by putting them into organized research and the amount from general appropriations goes into some other function. Mr. Richey said it is "beyond imagination" that the bill could work very effectively.

Mr. Richey said the bill is regarded by the Board Office as completely unworkable, and an improper intrusion into academic decision making and also would act as a major deterrent to receipt of federal funds, etc. It is incredibly complex and will not work for the board and may not work for any other state agency except for the funds granted for the same kinds of programs the state is operating. He noted that if you have a state welfare program financed 50-50 between state and federal government, then it could be very important to the legislative process. Even then, however, you have a question as to whether you want to put it into the state General Revenue Fund. He said the title is a misnomer because these are not "general use" funds.

Mr. Richey said he intends to prepare a response for the legislature with respect to the bill within the next few days. He noted he will circulate that response to the board and the institutional executives before it goes to committee chairman and members of the Governor's Office. Mr. Richey solicited timely comments from board members and institutional executives. Mr. Richey said he will seek counsel for the constitutional questions involved in this matter.

Mr. Richey reported that Iowa probably has the most extensive reporting system on federal grants of any state in the union. The fact, however, that nothing is done with it in terms of legislative staff review makes legislators uncertain as to what's happening. He said he feels that is the "genesis" for this legislation more than anything else.

Regent Belin suggested that Mr. Richey, early in his report to the legislature, mention that the board does a very careful job of reporting the extensive amount of federal grants that it does receive. She said that if the legislature knew that the board had all these records in a "tidy package," the legislature may have a more secure feeling about the board. Mr. Richey said the Board Office is not the staff for the legislature and so can't do as Regent Belin recommended. Mr. Richey said legislators received reports distributed at the legislative interim committee meeting so misleading as to what the board was reporting that it was no wonder they were concerned. Mr. Richey said the problem gets down to legislative staff services. He noted that while he was not critical of the individuals in those staff positions, there may be a question of enough people to do what the legislature is now requiring to be done in terms of informational needs.

Regent Bailey said he has the impression that the legislature's motivation behind this legislation is because of the feeling that there needs to be some sort of mechanism set up whereby federal programs will not be started and then be cast off onto the state. He suggested the board indicate to the legislature that it understands that problem. He said the board is in agreement that something needs to be done but noted that the board does not want to get less in federal funds than it now gets. Regent Wenstrand agreed with Regent Bailey but noted that the board never really knows at the outset of a grant or the outset of a program if the federal funds granted will continue indefinitely.

Mr. Richey noted that Regent Wenstrand's comment about not really knowing if a federal funds grant will continue is true but added that the Board of Regents has probably made the strongest commitment of any agency in state government to avoid a future state liability for programs initiated with federal grants.

President Petersen said the board has been supportive of its institutions and faculties to pursue their own individual interests by securing federal grants in a wide variety of areas with the understanding that when those funds run out (when that project(s) has been terminated), that the institution has no commitment to continue same.

Legislative Liaison Hawkins said he feels that the state government would have a "dim view" of the bill. He encouraged the Board Office to mention Medicare in the response. He said Medicare payments amount to a few million dollars a year.

President Kamerick commented that the United States Constitution may prohibit this type of bill.

C. Reciprocity - Optometry - Midwest Educational Compact. The board was presented a memorandum to bring it up to date on the various discussions concerning reciprocity with contiguous states. The board was reminded that there have been five areas in which reciprocity is being or has been discussed. The five areas are: 1) discussions with the state of Nebraska which also involve the states of Missouri, South Dakota, North Dakota and Minnesota; 2) discussions with the state of Wisconsin; 3) discussions with the state of Minnesota; 4) discussions of a possible compact between the various midwestern states; and 5) discussions concerning the establishment of a regional school of optometry. Recently, there have been two other areas of discussion: one regarding nursing education and the other regarding student exchange with Colorado.

The Board Office reported that there have been discussions regarding a regional school of optometry generated by the North Central States Optometric Council. The North Central States Optometric Council called a meeting on December 6 in which representatives from the states of Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, and Iowa were

invited to discuss the possibility of establishing a regional school of optometry. The purpose of a regional school would be to facilitate and expand higher education capacities within the North Central Region, to provide increased access to higher education for the citizens of the six-state area, and to promote more economical use of higher education facilities within the North Central Region.

Discussion regarding a proposed Midwest Regional Education Compact evolved out of the work of the Education Committee of the Council of State Governments. This committee has been working over the course of about one year to develop legislation regarding a midwest compact that could be introduced in the various midwestern states. At the present time, there is considerable activity underway to organize a team of representatives from the various midwestern states to visit each state in the region and encourage adoption of the proposed legislation. The Board Office indicated it understands that the first such visit will occur in Minnesota within the next month.

The Board Office presumes that the proposed legislation will be adopted in six states (the minimum number necessary to activate the agreement). These six states will probably be: Michigan, Kansas, Minnesota, South Dakota, North Dakota, and Nebraska.

D. Dual Compensation. The Board Office reported that Section 79.1 of the Code of Iowa states that all salaries "shall be in full compensation of all services, including any services on committees, boards, commissions or similar duty for Iowa government, except for members of the general assembly." The State Comptroller has interpreted this provision to preclude full-time state employees receiving pay from one agency of the state to be paid additional compensation by another state agency.

Personnel employed by the universities, particularly faculty members, are often called upon by other state agencies to perform services because of their specialized capabilities. These services are usually in addition to the performance of their full-time responsibilities to the universities. The Public Employment Relations Board, the Conservation Commission and many other state agencies, including the State Comptroller, utilize their services. The problem is in being able to compensate them properly for their extra work in view of Section 79.1. The problem does not exist for such service to non-state agencies and private businesses.

Some services are being rendered to other state agencies by full-time employees of the universities through an arrangement whereby the state agency pays to the university the amount of compensation earned by the individual. The university, in turn, adjusts the salary of the employee involved by the appropriate amount and pays the money received to the person. Both the universities, the State Comptroller and the agencies involved are uncomfortable with this cumbersome procedure, but the agencies urgently need the expert services of some university employees. It could also be misleading to other employees or members of the public who do not know why the extra compensation is being paid.

The Board Office noted that the Attorney General's Office issued an opinion on November 29, 1977, stating that part-time employees could receive compensation from more than one state agency.

December 15, 1977

Mr. Richey said his understanding is that this matter is under study in the executive branch. He noted it would be appropriate for the board to recommend that the study be encouraged and an appropriate workable solution be recommended for legislative action.

President Petersen said that from the viewpoint of the state, it would be unfortunate if, in the zeal to work this out, we lessened the availability of the pool of expertise in these institutions to one state agency and to private business. President Petersen reiterated that the state has a very useful and valuable resource in the expertise that resides in these institutions. Mr. Richey noted that private institutions, however, are not involved in this legislation.

Regent Shaw stated that the Regents' universities have typically provided a lot of service to state agencies, the legislature, and the executive branch of government.

President Boyd said he does not want to see a faculty person only able to serve the state and not the private sector.

Regent Belin asked if the assistance the universities provide the two special schools is a gratis type of situation. Mr. Richey responded in the affirmative. Mr. Richey indicated that "generally" there is no charge for requests within the Regents' institutions.

Mr. Richey said he would keep members of the board informed as to the status of this legislation.

E. Carryover Bills. The board was presented a memorandum outlining five issues on which action might take place during the second session. Those five bills follow:

Senate File 97

This bill appropriates \$418,000 to the Legislative Fiscal Bureau for the purpose of developing and using an interactive budgeting system which will provide for and encompass state budgeting and analysis procedures relating to the appropriation and expenditure of funds. This bill passed the Senate and currently resides in the House Budget Committee.

The basic thrust of the bill would be to tie a large amount of the management and statistical information in Board of Regents' computers to a computer in the Legislative Fiscal Office. This procedure would enable the legislature to gain information from its agencies and institutions independently. The proposal has been discussed in the legislature now for about two years and the most serious attempt to pass the measure came in the 1977 Session. The board and the institutions have expressed serious reservations about this system, as the board has been quite responsive to the Governor and the legislature in furnishing requested information. The

board has also been able to explain this information at the time of transmittal. That opportunity would be lost under the approach set forth in the bill and could lead to serious misunderstandings. For those reasons, the board took a position of opposition to the bill.

House File 120

This bill provides that the Board of Educational Examiners be replaced by a professional standards board appointed by the Governor. The board will govern teacher preparation and certification. The Professional Teaching Practices Commission will continue to develop criteria of professional practices. The deans of education have expressed serious concerns about the bill, as drafted, in that it radically alters the composition of the professional standards board to provide that at least the majority of the members would be classroom teachers who had actively engaged in classroom teaching at the elementary or secondary school level.

This bill did not receive any action during the 1977 Session, with the exception of several hearings before the House Education Subcommittee. The board expressed opposition to the concept embodied in this bill.

House File 246

This bill establishes a legislative oversight bureau on the basis that it would be the intent of the General Assembly to establish in the legislative branch of government the capability to independently and intensively review the performance of state agencies in operating the programs established by the General Assembly, to evaluate their efficiency and effectiveness and to consider alternatives which may improve the benefits of the program or may reduce its cost to the citizens. Performance audits and program evaluations could be conducted upon the request of the member of the General Assembly, if the request is cosigned by two other members, could be conducted upon the director's initiative or upon the request of the Governor.

The bill passed each house in radically different versions and a conference committee was not able to reconcile the differences as the session ended. The Senate-passed language removed most of the concerns of the Board of Regents in the area of examinations of the academic areas of the institutions and the independence for programming of broadcasting facilities although some concern has still been expressed over the fact that a performance audit could be requested by a single member of the General Assembly. It was suggested that better language would be that audits could be conducted only upon the request of a standing committee.

Senate File 242 - House File 483

Both bills establish an Iowa Research Foundation modeled to some extent on the National Science Foundation with an appropriation of \$1 million to be used primarily to fund basic and applied scientific research and graduate research scholarships and fellowships. This foundation would be administered by an independent director and a nine-member part-time board appointed by the Governor with Senate confirmation.

Neither bill progressed beyond the committee level in the 1977 Session.

House File 545

This bill creates a Risk Management Division within the Department of General Services. The function of the division would be to analyze the risk exposures of the state with respect to all property and casualty loss and to propose standards for reducing or eliminating the risks and for determining which remaining risks will be insured, to what degree of protection, and in what policy forms. The standards would be subject to disapproval by the State Executive Council. Also, the Department of General Services would be required to purchase all insurance for the operation of state government.

The bill, as it finally passed the House, essentially exempted out the State Board of Regents from coverage. The bill, as currently in the Senate Commerce Committee, is in a satisfactory form to the board. The issue will be to maintain the bill in that form.

F. Open Meetings. Mr. Richey reported that he is working with Mr. Henry of Iowa State University in terms of preparing testimony for a meeting next week on the Open Meetings Law. He noted that the board's position is that it must be fair to all parties and act in the state's best interest at all times. To hold all meetings in public could seriously damage people's reputations and inhibit strategy discussions relating to collective bargaining, etc.

(A memorandum prepared by Mr. Henry to two legislators regarding the effects of the Open Meetings Law is on file at the Board Office.)

G. Proposal to Include the Board of Regents' Institutions in the State Sinking Fund. Regent Bailey said there is a proposal from the State Treasurer's Office that the Board of Regents be included in the State Sinking Fund as a means of protection against the loss of funds deposited in banks. The Board of Regents has had the protection of its currently existing escrow agreements and indicated a desire not to be included in the fund. In consultation, it was found that the State Treasurer's Office is not adamant on the matter. The recommendation of the board's Banking Committee was that inclusion in the Sinking Fund would not provide adequate protection for the Board of Regents' funds. It was recommended that the board remain excluded from such coverage and remain covered by its existing escrow agreements.

MOTION: Mr. Bailey moved the board remain excluded from the State Sinking Fund and remain covered by its existing escrow agreements. Mr. Wenstrand seconded the motion.

President Petersen said the board would be opening itself to all kinds of financial liability if it released the protection it now has.

VOTE ON MOTION: The motion passed unanimously.

BANKING COMMITTEE REPORT. Regent Bailey commented that the Elizabeth Annis Hutchinson Estate was set up into four trusts that are substantial in amount. There is \$400,000 each in three trusts and \$600,000 in the fourth one,

which is more closely related to the Board of Regents. The Board of Regents, under the trust, is the residual recipient of the \$600,000 trust. He commented, however, that the board probably won't be getting any of those monies until the year 2000.

Mr. Bailey commented that the Banking Committee recommended that one of the university treasurers be given the responsibility of observing and keeping a watch on all of the trusts. It was recommended that the University of Iowa treasurer be the person to have that responsibility, with reports coming during the interim period between now and the year 2000 on same.

MOTION:

Mr. Bailey moved the board appoint the treasurer of the State University of Iowa to be the observer over and responsible for review of action on trusts of the Elizabeth Annis Hutchinson Estate during the interim period until funds actually are dispersed. Mr. Barber seconded the motion and it passed unanimously.

Regent Bailey commented that the estate's attorneys recommend the board agree with a \$500 allowance per year to the beneficiaries. Regent Bailey said the trusts are to be used for scholarships, etc. for relatives of the testator until at least the year 2000. Regent Bailey said there was concern as to who would pay the taxes on the income of the trust fund before the year 2000. The Internal Revenue Service suggested the current beneficiary be taxed in the interim. Regent Bailey suggested no action on the part of the board at the moment. He recommended, however, that the State University of Iowa Treasurer, Mr. Ray Mossman, be asked to provide advice on this matter.

VOTE ON MOTION:

The motion passed unanimously.

APPEAL BY PROBATIONARY EMPLOYEE - TERRI BROXMEYER. The board was requested to deny Ms. Broxmeyer's request for review under the Regents' Procedural Guide, Section 4.23, "Appeals by Employees to Board."

The Board Office reported that Terri Broxmeyer was employed by the University of Iowa Hospitals and Clinics as a Cytotechnologist 1 in the Department of Pathology. At the time of termination, Ms. Broxmeyer was a probationary employee. Under the institutional rules and Regents Merit Rules, she therefore has no access to arbitration. For that reason, she made a request for review to the board through the board's Procedural Guide.

As background, the Board Office indicated that in July of 1977 Ms. Broxmeyer was discharged for insubordination since she refused to make up time required by her supervisor. The refusal of an order or request in personnel administration and employment situations is typically considered insubordination. Unless there is a potential health or safety hazard to the employee or other employees, the general principle is to

follow the request and then to grieve the issue. Therefore, it would have been appropriate for the employee to have made up the time and then to have filed a grievance if she felt that there had been a violation of the application or the interpretation of institutional or merit rules. Although all employees are subject to the above principle, it was noted that a probationary employee is especially under close scrutiny, since this period has been specifically set aside for evaluation, training, adjustment to the position and meeting the standards prescribed.

The Board Office reported that according to the information provided and the rules cited by the grievant, the case does not involve alleged discrimination in any way. Denial of the grievant's request for review was recommended.

MOTION:

Mr. Brownlee moved the board deny Terri Broxmeyer's request for review under the Regents' Procedural Guide, Section 4.23, "Appeals by Employees to Board." Mr. Slife seconded the motion and it passed unanimously.

LEGISLATIVE PROGRAM, 1978 SESSION (continued). It was recommended that the board take action leading to the introduction of legislation on three topics during the 1978 Session. Two matters were explained at the November meeting and were a part of the 1977 program and will be reintroduced, unless board members have objection: 1) proposal to expand the investment authority of institutional funds into the areas which are authorized for the State Treasurer commensurate with the need for safety in investment of institutional funds; and 2) an increase in the dollar limit required to advertise for construction bids from the current \$10,000 level to a \$25,000 figure. The third matter involved a change in law relative to collection of lost bond coupons.

The Board Office reported that Mr. Mitchell of Chapman & Cutler is currently drafting legislation on behalf of the board which would set up a procedure to allow the board to reissue bonds and bond coupons lost or destroyed. The legislation will take the form of an amendment to Chapter 75 of the Code, which deals with authorization and sale of public bonds. In this way, the procedures set out will apply to any agency or political subdivision that issues public bonds.

It was recommended that the board support the introduction of said legislation.

MOTION:

Mr. Slife moved that the board support the introduction of legislation on the above three issues. Mr. Bailey seconded the motion and it passed unanimously.

Several other matters were outlined in the Board Office memorandum:

1) Establishment of a Commission on Postsecondary Education

It was recommended that the board determine whether it again wished to reaffirm its position on this topic in the event the legislation is introduced in the 1978 Session. The board reaffirmed its position of opposition to such a commission.

2) Statutory Salary

The board took a position at its October meeting relative to the matter of the board's authority to set the salaries of all of its employees, including that of the executive secretary. Also, the board included in its position that the maximum salary of the executive secretary be established at no less than \$39,000 during the 1978 Session. The Joint Subcommittee for Educational Appropriations in its meeting this week tentatively recommended that the salary range of the executive secretary be reestablished at \$31,000 to \$39,000 during the 1978 Session.

3) Regulation of Institutions

This item involves a proposal which has been discussed by the Coordinating Council on the regulation of institutions. The proposal has been laid on the table by the council and evidently no action was called for by the board on this matter at this time.

President Boyd commented with respect to the housing of the State Archaeologist. He reminded members of the board that the office of the State Archaeologist was, at one time, inside the university. Then it was moved out, and then moved back in with the university having to absorb all the cost. President Boyd said the university would like to be in a position to present its justification to a legislative study committee as to why it feels that the present situation should continue to prevail. He said the State Archaeologist has been doing an extraordinarily fine job and that fact should be made known to the legislative committee to retain the function within the structure.

President Petersen commented that since there were no objections voiced by members of the board, that President Boyd's request would become part of the board's legislative program.

Regent Wenstrand asked if there is coordination between the board's three legislative liaisons. President Petersen noted that there is such coordination. Mr. Richey added that the three liaisons are under the supervision of the board's executive secretary in performance of their functions.

REPORT ON BUDGET HEARING AND ACTIONS OF JOINT SUBCOMMITTEE ON EDUCATIONAL APPROPRIATIONS ON REGENTS' BUDGET REQUEST. The Joint Subcommittee on Educational Appropriations held its hearing on the budget request of the board on November 30. The Regents were given an opportunity to present all aspects of their operating budget request, including salary policy, and the capital improvement request.

The joint subcommittee took up the Regents' request for consideration on December 7, and took tentative action on several components. The actions of the joint subcommittee were summarized as essentially approving the level of appropriations recommended by Governor Ray for fiscal year 1978-79 to the 1977 Session of the General Assembly. Mr. Richey commented that the general tenor of the deliberations of the joint subcommittee give the board some reason for optimism that some of its most pressing problems will be addressed.

Mr. Richey said he had no word yet as to the executive discussions that may be held on the Governor's supplemental recommendations. He noted he would be in contact with the State Comptroller on Friday to see if he could get some more definite information on that.

IOWA COORDINATING COUNCIL FOR POST-HIGH SCHOOL EDUCATION. The board was requested to: 1) approve the "Statement on Cooperation" as revised at the December 1 meeting, and 2) approve a Board of Regents' recommendation to the Coordinating Council that the composition of the task force for the study of reciprocity include representation from the Regents' institutions, the Regents, and the Board Office on both the technical and policy levels. This recommendation should also include the suggestion that the study encompass the probable education and financial impact on students as well as institutions (public and private).

The Board Office reported that revisions to the "Statement on Cooperation" took into consideration the various comments and concerns expressed by members of Iowa's postsecondary educational community. It was decided at the December 1 meeting of the Coordinating Council that this matter would be placed on the council's February agenda for final consideration.

The Coordinating Council heard an updated report on the various reciprocity discussions involving Iowa. It was suggested that a task force be appointed early next year to study the matter. It was further suggested that in the interim the various segments take the matter under consideration and come back to the council with recommendations on the composition of such a task force.

President Petersen commented that unless there were objections to the above-requested actions that both would be approved by the board.

Regent Bailey asked how difficult it would be to segregate policy matters from technical matters as far as the reciprocity study is concerned. He said he feels they are intertwined matters. President Petersen expressed agreement with Regent Bailey but noted that we need both levels of participation.

President Petersen noted that Mr. Barak of the Board Office reported that he understands that the policy committee would be the overall committee and that additional resource people supplying technical information would be advisory to them. Two levels of people would be necessary to participate.

MOTION:

Mr. Bailey moved the Coordinating Council set up a task force composed of technical and policy representatives to study reciprocity. The technical representatives would include persons with expertise in the areas of economics, demographics, education, et cetera, to provide a solid base of scholarly expertise. Mr. Barber seconded the motion and it passed unanimously.

Regent Barber reported that he would be unable to attend the January meeting of the Coordinating Council for Post-High School Education and requested that Regent Slife or Regent Harris substitute for him.

HIGHER EDUCATION FACILITIES COMMISSION MEETING. Regent Bailey reported that a contract developed by the Higher Education Facilities Commission for training financial aid officers was approved. He noted that the University of Iowa is making a very fine contribution in that regard.

Regent Bailey commented that a proposal for continuing education has been examined by the task force of which President Boyd is chairman.

Regent Bailey stated that the Governor has appointed a task force with respect to the guaranteed student loan matter. He reported that the task force is to report back to the Higher Education Facilities Commission by the 15th of February. Regent Bailey said there was a change made in the Tuition Grant Program which makes it easier for students carrying half-time or more credits to obtain financial assistance. Regent Bailey also reported that a change in the Iowa Scholarship Rules now permits transfer students and others who did not participate in the first year scholarship program to be eligible for second year scholarships.

ASSOCIATION OF GOVERNING BOARDS SEMINAR. Regent Belin reported that she and President Petersen attended the recent Association of Governing Boards Seminar for orientation of new board members. She said the meeting was very worthwhile, particularly in some areas. She felt that her attendance had been beneficial, too, by showing her that in contrast to other states Iowa has excellent cooperation and coordination among its institutions.

EQUAL EMPLOYMENT/AFFIRMATIVE ACTION COMPLIANCE OFFICE REPORT. The board was presented the annual report of the Equal Employment/Affirmative Action Compliance Office by Mr. Roger Maxwell, Board Office Compliance Officer.

Mr. Maxwell reported that the Compliance Office is charged with carrying out the equal employment/affirmative action provisions as contained in the Regents' Code of Fair Practices. Firms transacting business with Regents' institutions are required to take affirmative action in employing, promoting and compensating persons of the protected classes. He indicated that his primary objective is requiring firms to increase the number of females and minorities into and throughout their work forces. This is necessary in order to overcome historical discriminatory practices. These practices created significant employment disparities when considering the positions which females and minorities held compared to males and Caucasians. 401

Mr. Maxwell outlined several factors which are taken into consideration regarding a firm's compliance with the board's Code of Fair Practices. He also reported on 12 significant factors as to affirmative action progress being made by the 1,050 firms who consistently report to his office.

Mr. Maxwell indicated that the board and institutions have supported the "area plan" concept (labor-management-minorities) which was organized by the Compliance Office in 1969. An area plan is a three-way agreement among trade unions, minority groups, and contractors aimed at increasing the representation of minorities and females in the building trades by actively recruiting, tutoring, employing, training and upgrading said persons in the building construction industries.

Mr. Maxwell stated that the accumulation of data regarding the employment of persons with handicaps or disabilities continues to be a problem for the Compliance Office as well as for employers. He said the main problem is the lack of communication between employers and those agencies and/or organizations who are responsible for rehabilitation and/or job placement of disabled persons. It is necessary that a framework be established whereby both parties are aware of each other's need. It was noted that the problem of identifying the handicapped or disabled is compounded by the fact that these persons oftentimes do not perceive themselves as being handicapped.

Mr. Maxwell then reported on some federal court decisions relative to equal employment opportunity and affirmative action. He said that recent decisions by federal courts have caused proponents of civil rights to feel that the civil rights cause is experiencing severe setbacks. A detailed explanation of same are on file at the Board Office.

Mr. Maxwell said the objectives for the forthcoming year follow:

- 1) To meet with those firms whose affirmative action progress has been found to be unsatisfactory and to attempt to conciliate any differences which might arise.
- 2) To meet formally with the Iowa Civil Rights Commission staff to establish procedures, including the possibility of imposing of sanctions against those firms with whom business is transacted and who have been found to be practicing discrimination as determined by the commission.
- 3) To reactive the Regents' Interinstitutional Committee for Equal Employment Opportunity for the purpose of discussing equal employment opportunity/affirmative action issues which are pertinent to all institutions.
- 4) To conduct more on-site compliance reviews at building construction sites to ensure that minority and female apprentices and journeymen are being employed.

Regent Shaw asked President Petersen if the reactivation of the Regents' Interinstitutional Committee for Equal Employment Opportunity would require board action. President Petersen said board action was not necessary.

Regent Wenstrand asked if the attitude of the companies with which Mr. Maxwell has been involved has changed over the years. Mr. Maxwell responded in the affirmative.

MOTION: Mr. Bailey moved the board accept the annual report of the Equal Employment/Affirmative Action Compliance Office with high commendation given to Mr. Maxwell. Mrs. Belin seconded the motion and it passed unanimously.

CHANGES IN THE IOWA ADMINISTRATIVE CODE. The board was requested to approve proposed changes pertaining to the Board of Regents' section of the Iowa Administrative Code and the Regents' Procedural Guide.

The Board Office reported that some members of the Iowa Legislative Administrative Rules Committee have questioned the adequacy of the rules previously submitted by the board. Because of these concerns, Mr. Richey requested that Ms. Casey Mahon of the University of Iowa review the provisions of the Iowa Administrative Code pertaining to the Board of Regents. As a result of that review, Ms. Mahon recommended that Section 11 of the Board of Regents' Rules be amended to incorporate additional provisions already appearing in the Board of Regents' Procedural Guide. Specifically, Ms. Mahon recommended that Rule 11.1(3) be expanded by the addition of several subparagraphs. These new subparagraphs would consist of the sections concerning the docket contained in Section 2.04 of the Regents' Procedural Guide. In addition, Ms. Mahon suggested that Section 11.1(4), dealing with submissions and requests by the public, be expanded to incorporate Section 2.07 of the Regents' Procedural Guide and that Rule 11.1(6), regarding an appropriate quorum for the board, be amended by adding the statement that five members of the board constitutes a quorum.

Mr. Richey noted that the board has received persistent complaints from legislators that the board hasn't filed enough rules. He said he feels the proposed changes should be encouraging to the legislature.

Ms. Mahon noted that the amendment to Chapter 11 of the Code that she had presented needed to have the word "docket" at the beginning of the second sentence be changed to the word "agenda."

Mr. Richey suggested that an additional paragraph be included in the Iowa Administrative Code relating to handouts at board meetings. He said one paragraph about that should be inserted from the Procedural Guide.

Regent Bailey recommended the word "all" be stricken from Section 11.1(3). The section would then read:

Agendas containing matters to be brought before the board together with supporting material will be assembled by the Executive Secretary. Such agendas will be indexed and included in a binder for easy reference. Each institution will prepare its own portion of the agenda and forward same, with necessary supporting material, to the Executive Secretary at least ten days prior to the date a board meeting is scheduled. Assembled agendas will be mailed to members of the board by the Executive Secretary at least six days prior to any scheduled meeting.

The agenda of board meetings will be made available to students, faculty, staff and the general public through the Board Office and the public information offices at each institution prior to the board meeting at which the agenda is to be considered.

Section 11.1(4) would be amended by adding the following new subparagraphs at the end:

Any person may petition for a written or oral hearing before the board. All requests for a hearing must be in writing and state the specific subject to be discussed and the reasons why a personal appearance is necessary if one is requested.

Students, faculty, and other employees of institutions under the control of the board must route their petitions through the chief executive officer of the institution concerned. The chief executive officer will forward the petition, with his comments, to the Executive Secretary of the board. The Executive Secretary of the board will place the item on the agenda for consideration by the board.

All other persons may request hearings by written petition directly to the Executive Secretary of the board. The Executive Secretary shall cause the subject matter of the petition to be investigated and make a written report to the board. The Executive Secretary of the board will place the item on the agenda for consideration by the board.

If the board grants a hearing, it shall be conducted in the manner prescribed by the board. The board may decide to grant a written hearing, an oral hearing, or both.

Section 11.1(6) would be amended by adding a new sentence at the end:
"Five members of the board shall constitute a quorum."

Mr. Richey asked if it should be incorporated that the board operates under the Roberts Rules of Order in the rules. Ms. Mahon responded that such an addition would be favorable, although she would further revise the wording.

MOTION:

Mr. Bailey moved the board approve the proposed changes pertaining to the Board of Regents' section of the Iowa Administrative Code and the Regents' Procedural Guide, as recommended above. Mr. Wenstrand seconded the motion and it passed unanimously.

REPORT ON ENERGY CONSERVATION. The board was provided a memorandum from the Board Office and from each of the board's institutions concerning energy conservations used at the institutions.

Institutional efforts have been directed primarily to voluntary energy savings, measures that require no investment, and measures that will pay back the investment on the basis of savings within one year. The institutions have reported previously savings up to approximately 10% by means of such measures as adjusting thermostats on weekends and holidays, reduction of light levels where appropriate, turning off lights after normal working hours, converting campus lights to metal halide, and so forth.

A significant number of projects with a pay-back period of less than one year no longer remain. Consequently, efforts now need to be initiated or completed on projects with a longer pay-back period, such as: 1) conversion to coal-fired boilers, 2) implementation of the central control systems, 3) reduction of heat loss by insulation, replacement of windows, etc., and 4) implementation of solar energy technique.

Mr. Richey commented that there is a suggestion that there be a bonding approach taken to handle the energy conservation needs. He noted, however, that there is a problem of the funds coming forward to amortize the bond issue. There is a suggestion that some of the pass-through monies, fuel savings, be used for the purpose of amortization. Mr. Richey noted that the board's pass-through formula has never really been "tested" in that the board has never had to draw down money.

Vice President Moore, speaking with respect to the proposed central control system for Iowa State, said he didn't feel the university should wait for federal funding. He said he didn't feel that federal funding should be expected.

President Petersen asked Vice President Moore if he felt the board should place a formal request in to the legislature for funding for energy needs. She noted that she was not recommending a formal request be initiated for this year but for the next biennium. Vice President Moore responded by saying the request would get "thrown in the same package as capital." He said it is unavoidably a competitor for capital needs at the institutions.

Vice President Jennings said the institutions have about four to five alternative funding techniques before them with respect to energy saving methods. Every one of them has its problems. He said the institutions need to find a way to take advantage of "potentially enormous savings" but at this stage the capital and operating budgets don't permit that. Mr. Richey noted that if the board is successful in adoption of the energy conservation proposal, it probably won't get any major renovation projects approved by the legislature in the 1979 legislative request.

President Petersen asked if the board could ask for a direct appropriation for energy conservation as it did with the state-wide concern for handicapped accessibility. Vice President Jennings responded that while President Petersen's suggestion was an alternative, he preferred exhausting the alternatives that won't require a competitive appropriation.

Mr. Richey commented that the technique to gain a direct appropriation for energy conservation was attempted last year but no funds were recommended. He noted that more work is needed with respect to the energy conservation proposal and this matter will be back before the board in September or October of 1978 when the board considers its 1979-81 request.

President Petersen accepted the energy conservation report on behalf of the board with appreciation for the institutions' continued concern in this area.

COLLECTIVE BARGAINING. The board was presented an informational report on the following items: 1) United Faculty at the University of Northern Iowa, 2) technical unit, 3) fiscal and staff unit, 4) clerical unit. More detailed information is on file at the Board Office.

BOARD OFFICE PERSONNEL REGISTER. The board was requested to approve the Board Office Personnel Register which included the following appointments:

Karen K. Vosberg, Secretary IV, \$11,310 annually plus usual fringe benefits, effective November 21, 1977.

Janet N. Bacon, Research and Information Analyst, \$16,016 annually plus usual fringe benefits and moving expenses to 10,000 lbs., effective November 28, 1977. (The effective date was revised from November 18, 1977 as approved by the board at the October board meeting.)

In absence of objections, President Petersen approved the actions reported in the Register of Personnel Changes for the Board Office.

NEXT MEETINGS.

January 20, 1978	University of Iowa	Iowa City
February 16-17	Iowa State University	Ames
March 16-17	Fort Des Moines Hotel	Des Moines
April 20-21	University of Northern Iowa	Cedar Falls
	Iowa Braille and Sight Saving School	Vinton
May 18-19	Iowa State University	Ames
June 15-16	Lakeside Laboratory	Milford
July 20-21	University of Northern Iowa	Cedar Falls

Mr. Richey commented that the board would need to meet in executive session with respect to collective bargaining strategy on January 10, 11, or 13. After discussion, it was decided to hold an executive session meeting on Friday, January 13, at 10 o'clock a.m. President Petersen said she would inform members of the location of the meeting at a later time.

President Petersen asked board members and institutional executives if there were additional matters to be discussed pertaining to general or miscellaneous items.

FOREIGN MEDICAL STUDENTS. Regent Shaw brought up discussion concerning legislation which passed a couple years ago requiring Iowa to accept second year foreign medical students. He noted that a resolution was sent to our Senators and Congressmen opposing that legislation. He commented legislation has come out recently which moderates the effect of the original legislation significantly.

MANDATORY RETIREMENT. Regent Shaw commented regarding the area of mandatory retirement. He commented that in a month or two the board might want to give some thought as to whether it would want to take a position with regard to a specific age for retirement.

President Parks noted that the federal legislation Regent Shaw was referring to has the effect of raising the limit for mandatory retirement from age 65 to age 70. He added that if the board wants to take a position on whether tenured professors should be treated differently as proposed in the Senate action, the board still has time to take a position.

President Boyd expressed ambivalence with respect to this matter. He urged members of the board to exercise caution in handling this issue. He stressed that faculties should be consulted regarding the retirement concern.

President Petersen commented that there are several approaches the board could take with respect to mandatory retirement. She said the board could take a position or it could simply inform the Congressional delegation of

the impact of the legislation by the year 2000. She said the impact of that information would not be more than a "middle ground position."

President Parks concurred with President Boyd's feeling of a certain amount of ambivalence with respect to mandatory retirement legislation. President Parks said Iowa State University's retirement policy is such that at age 65 persons start phasing into retirement. Everyone in administrative positions must relinquish their responsibilities but can do various other things. A professor after age 65 can work no more than nine months per year until the age of 70, at which time he/she must retire.

President Boyd indicated a desire to adjust the retirement situation to the situation without a strict regulation, per se. He said we ought to be creative but also recognize the obligation we now have toward future generations. He added he doesn't feel there should be any federal legislation in this area.

President Parks commented that if the legislation passes "in the pure form" the board can't change any of the conditions of employment with respect to its employees. In other words, the board couldn't extend a person's employment by cutting work time from 12 months to nine months. President Petersen asked if it would be helpful for the board to indicate that concern to the Congressional delegation. Regent Shaw responded in the affirmative.

President Petersen asked if the board desired to take action that there be a position with respect to mandatory retirement. Regent Shaw said he did not propose a position at this time.

WRITING INSTITUTE AT THE STATE UNIVERSITY OF IOWA. Regent Bailey reported that the Writing Institute at the State University of Iowa to train directors of freshmen composition has recently received a grant of almost \$700,000 from the national Endowment for Humanities. He said this deserves the board's attention.

EXECUTIVE SESSION. President Petersen reported that there were two matters that needed to be discussed in executive session: 1) strategy in regard to collective bargaining, and 2) a Board Office personnel matter. President Petersen requested the vote to go into executive session be made to include authority to meet in executive session on Friday, January 13th, at Iowa State University at 10:00 a.m.

On roll call vote as to whether to enter into executive session, the following voted:

AYE: Bailey, Barber, Belin, Brownlee, Harris, Shaw, Slife, Wenstrand, Petersen.

NAY: None.

ABSENT: None.

GENERAL

December 15, 1977

The board, having voted in the affirmative by at least a two-thirds majority, resolved to meet in executive session beginning at 3:00 p.m. and arose therefrom at 4:20 p.m.

STATE UNIVERSITY OF IOWA

The following business pertaining to the State University of Iowa was transacted on Thursday, December 15, 1977.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes were ratified by the board.

APPOINTMENT. The board was requested to approve the following appointment:

Professor Douglass Lee as Chairman, Graduate Program in Urban and Regional Planning, for a three-year term, ending June 31, 1980.

MOTION: Mr. Bailey moved the board approve the appointment of Professor Douglass Lee as Chairman, Graduate Program in Urban and Regional Planning, for a three-year term, ending June 31, 1980. Mrs. Belin seconded the motion and it passed unanimously.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported the Register of Capital Improvement Business Transactions for the month of December 1977 had been received by him, was in order, and recommended approval.

The following construction contracts were recommended for ratification by the board:

Renovation for Handicapped Accessibility -- Phase II -- Communications Center and North Hall

Award to: Burger Construction Company, Iowa City, Iowa	<u>\$80,580.00</u>
(General)	
O'Keefe Elevator Co., Inc., Omaha, Nebraska	<u>\$68,600.00</u>

(The projects involve the installation of a three-stop elevator in the Communications Center and a five-step elevator in North Hall. Funding is from the 1977 capital appropriation for handicapped accessibility.)

The following new projects were recommended for approval:

State Hygienic Laboratories Relocation

Source of Funds: University RR&A	\$100,000.00	
Oakdale RR&A	100,000.00	
Income from Treasurer's Temporary Investments	770,315.00	
		<u>\$970,315.00</u>

The university presented a project to relocate that portion of the State Hygienic Lab space located in the Medical Laboratory Building. This accounts for 11,509 gross square feet. Approximately 21,000 net square feet will be remodeled at Oakdale in the Hospital Building under this project. According to the university, the configuration of the space at Oakdale accounts in large part for the apparent increase in space over that being vacated by the Hygienic Laboratory in the Medical Laboratory Building.

The university indicated that it anticipates completion of this project by the end of the fiscal year. The space vacated in the Medical Laboratory Building would be utilized by University Hospitals for pediatric programs.

It was noted that when this relocation occurs, the State Hygienic Laboratory will still maintain about 8,000 net square feet of space in locations other than at Oakdale. Fifty-eight hundred net square feet of this space is in laboratory-type functions, while 2,200 net square feet is in office space. The Oakdale plan states that the State Hygienic Laboratory had been identified as one of the candidates for total relocation. That total relocation will not occur through this particular project.

Regent Shaw asked if the \$770,315.00 from income from Treasurer's Temporary Investments is a permanent commitment of those funds toward the State Hygienic Laboratories. Vice President Jennings responded in the affirmative.

Regent Bailey asked if the State Hygienic Laboratory is charging enough to take care of such costs as these. He also asked if the State Hygienic Laboratory should be charging more in order to be more self-supporting. Vice President Jennings reported that the rates could not be expected to pay for this particular project. He said the rates were recently reviewed.

President Boyd noted that the basic question involved with the State Hygienic Laboratory is how to finance capital projects that do not fall under academic functions.

MOTION:

Mr. Bailey moved the board approve the Register of Capital Improvement Business Transactions for the month of December 1977; ratify the construction contracts recommended; approve the new project; and authorize the executive secretary to sign all necessary documents. Mr. Wenstrand seconded the motion and it passed unanimously.

LEASE OF PROPERTY. The board was requested to approve a lease between the University of Iowa and Black Hawk Realty Company to provide general office space to Iowa State Services for Crippled Children from January 1, 1978, to December 31, 1978.

The Board Office reported that office space previously provided in the Community Services Building for the past two years was not adequate to accommodate additional staff personnel added to the office. The lease will provide approximately 350 square feet of office space for the Iowa State Services for Crippled Children in the KWWL Building, Waterloo, Iowa. The terms of the agreement call for payment of yearly rent of \$1,575.00

(\$4.50 per square foot) at the rate of \$131.25 per month and \$15.00 per month for electricity for a total monthly rate of \$146.25. The lessor will provide heat, water and janitorial services. The lease did not provide provision for continuation beyond one year's time.

MOTION:

Mr. Brownlee moved the board approve a lease between the University of Iowa and Black Hawk Realty Company to provide general office space for Iowa State Services for Crippled Children from January 1, 1978, to December 31, 1978. Mr. Bailey seconded the motion and on roll call the following voted:

AYE: Bailey, Barber, Belin, Brownlee,
Harris, Shaw, Wenstrand, Petersen.

NAY: None.

ABSTAIN: Slife.

ABSENT: None.

The motion carried.

UNIVERSITY HOSPITALS CAPITAL DEVELOPMENT. The board was presented an informational report on the capital development of the University Hospitals.

The University of Iowa indicated an intention to initiate the process leading to the construction of Carver Pavilion I - Phase B. This project would construct 120,000 gross square feet at an estimated cost of \$12,000,000. The project would consist of three inpatient bed replacement floors on the bed tower of the Pavilion and the two "shell" floors for future clinic replacement on the clinic section of the building. Funding for the project would come from a \$12,000,000 Hospital Revenue Bond Sale and from \$1.3 million in Hospital Building Usage Funds.

The university requested permission to move the project through the various state-wide comprehensive health planning channels over the next two months and to bring the project to the board at either the January or February meeting for approval. Following board action, the legislature would need to adopt a concurrent resolution by a constitutional majority authorizing the sale of the bonds.

It was noted that the project could be ready to go to bid about seven months after design was initiated. Assuming legislative action in the 1978 Session, a bond sale could probably take place in early summer. President Boyd said the bond consultants have been contacted regarding this proposal.

Vice President Jennings said utilities for the project will cost approximately \$3.6 million. He said of that amount only about \$2 million will be "directly" related to this particular project.

Regent Wenstrand asked for clarification with respect to how much money for the project would be derived from revenue bond sales. He noted that in information presented the board earlier, it was stated that \$12 million

would be the total cost. Also, it was noted that \$12 million would be funded from bonds and \$1.3 million from Hospital Building Usage Funds. Mr. Richey recognized the discrepancy and said the matter will be clarified. Vice President Jennings reiterated that the total cost of the project is estimated to be \$12,000,000.

Regent Belin asked for clarification with respect to enlargement of the University Hospitals. President Boyd reported that the University Hospital beds were initially built as a series of wards. By the proposed capital development, the university would not be increasing bed capacity but would move out from "ward care" into more individual care in order to be reimbursed by insurers.

President Petersen asked board members and institutional executives if there were additional matters to be raised for discussion pertaining to the State University of Iowa. There were no additional matters raised.

IOWA STATE UNIVERSITY

The following business pertaining to Iowa State University was transacted on Thursday, December 15, 1977.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the month of November 1977 were ratified by the board.

APPOINTMENT. The board was requested to approve the following appointment:

Ludomira Z. Furman-Kocimiski, M.D., as Director of Student Health Service effective January 1, 1978, to December 31, 1980, salary \$43,200, twelve months' basis, plus annuity.

MOTION: Mr. Slife moved the board approve the appointment of Ludomira Z. Furman-Kocimiski, M.D., as shown above. Mr. Bailey seconded the motion and it passed unanimously.

DESIGNATION OF ROOM NAME. The board was requested to grant Iowa State University authorization to designate the Mathematics Reading Room in Carver Hall as the "Edward S. Allen Room," effective immediately.

The university reported that Dr. Edward S. Allen has had an exceptionally long career at Iowa State University, starting in 1921, as a member of the mathematics faculty, and even yet, at 90 years of age, continues to be active in many departmental and university affairs. Throughout his career at the university, he has maintained a very active interest in the mathematics portion of the library. Iowa State University attributed the acknowledged excellence of its mathematical library collection to Dr. Allen's efforts over the past 56 years.

MOTION: Mrs. Belin moved the board grant Iowa State University approval to designate the Mathematics Reading Room in Carver Hall as the "Edward S. Allen Room," effective immediately. Mr. Barber seconded the motion and it passed unanimously.

SECURITY PERSONNEL - DESIGNATION AS PERMANENT OR TEMPORARY SPECIAL SECURITY OFFICERS. The board was requested to commission Guy M. Scott and Steven Oakland as permanent special security officers.

The board was requested to commission David Grussing, Gary Reinertson, Brian Braymen, Joan Harpham, Jon Purvis, and David Loops as temporary special security officers.

Guy M. Scott, 31, has been employed as a special security officer for Iowa State since February 29, 1976 and completed the Iowa Law Enforcement Academy training on October 21, 1977.

Steven Oakland, 26, has been employed as a security officer for Iowa State University since June 1, 1976 and completed the Iowa Law Enforcement Academy training on October 21, 1977.

David Grussing, 22, has been employed as security officer since July 10, 1977.

Gary Reinertson, 25, has been employed as a security officer since August 15, 1977.

Brian Braymen, 22, has been employed as a security officer since September 7, 1977.

Joan Harpham, 23, has been employed as a security officer since November 2, 1977.

Jon Purvis, 28, has been employed as a security officer since November 16, 1977.

David Loops, 23, has been employed as a security officer since November 21, 1977.

MOTION:

Mr. Slife moved the board commission Guy M. Scott and Steven Oakland as permanent special security officers and commission David Grussing, Gary Reinertson, Brian Braymen, Joan Harpham, Jon Purvis, and David Loops as temporary special security officers. Mrs. Belin seconded the motion and it passed unanimously.

FRILEY HALL RENOVATIONS. The university requested authority to advertise and receive bids on the Friley Hall Renovations Project.

The university noted that in September of 1977 the board approved this project and the estimated project budget and authorized the preparation of final plans and specifications. The agreement for architectural services was approved at the October board meeting and the architects, Brooks, Borg and Skiles, are proceeding with final plans.

The current project will rehabilitate the five floors of the north wing of the complex. The scheduling plan is to vacate the area during the spring quarter and summer session to provide six months of continuous construction time (March 1 through August 31).

A bid date early in 1978 is targeted in order to provide ample lead time to assure the start of construction promptly at the end of the winter quarter.

MOTION: Mr. Bailey moved the board grant Iowa State University authority to advertise and receive bids on the Friley Hall Renovations Project. Mr. Brownlee seconded the motion and it passed unanimously.

FARM LEASE. The board was requested to approve the lease of the Rhodes Farm between Iowa State University and the Iowa State University Agricultural Foundation from April 1, 1977, to February 28, 1997.

The Board Office reported that in consideration for the lease of the land, the university will pay annual rental of not less than \$71,200 or \$40.00 per acre for the 1,780 acres of land. Based on the 1976 average per acre value of farm land in Marshall County, as prepared by the Iowa State Extension Service, this would represent an approximate return of 3.3%. Rental payment is to be applied first to taxes payable, insurance and interest payable, with the balance available, if any, applied to principal due Pioneer Hi-Bred International, Inc. The tenant reserves the right to make additional payments in the preceding manner.

At the time that the contractual obligation to Pioneer Hi-Bred has been discharged, tenant's payment will be reduced to an amount equal to the payment for taxes and insurance. Title is to remain vested with the landlord so that the property will remain on the tax rolls. Tenants shall have, however, the option to take title gratis in part or in total after the contractual obligation of the landlord has been discharged.

President Petersen indicated that the terms of the lease indicate that it is retroactive to April 1, 1977, which is the time when the property was acquired by Iowa State University.

MOTION: Mr. Bailey moved the board approve the lease of the Rhodes Farm between Iowa State University and the Iowa State University Agricultural Foundation from April 1, 1977 to February 28, 1997. Mr. Shaw seconded the motion.

Vice President Moore noted that there will probably be modifications of the lease during its term. He added that those modifications may occur as a result of long-range program goals of the Agriculture College.

VOTE ON MOTION: On roll call the following voted:
AYE: Bailey, Barber, Belin, Brownlee,
Harris, Shaw, Slife, Wenstrand,
Petersen.
NAY: None.
ABSENT: None.
The motion carried.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported the Register of Capital Improvement Business Transactions for the period of November 19 to December 16, 1977 had been received by him, was in order, and recommended approval.

The following construction contract was recommended for ratification:

Turbine Generator #3 and Auxiliary Equipment - Division 8 - Mechanical
Erection and Piping

Award to: Baker Mechanical, Inc., Des Moines, Iowa \$548,000.00

The university also submitted an updated project budget for the Turbine Generator Project. The budget shows the transfer of \$383,000 to the Electrostatic Precipitator Additions Project, which was approved by the board earlier. The total budget for the Turbine Generator Project, then, is \$3,112,000.

The university resubmitted the project entitled Athletic Facilities - Intercollegiate Running Track and requested that the project title be amended to include six new intercollegiate tennis courts in the general proximity of the running track. The Iowa State University Athletic Council authorized and provided the funding for the inclusion of these new courts.

The university also requested authority to negotiate an appropriate amendment to the existing agreement with Shive-Hattery and Associates for design of the tennis courts. The Board Office reported that a project budget and a request for authorization to receive bids will be submitted at a later date after the preliminary design and statement of probable construction costs have been developed by the engineer and approved by the university.

MOTION:

Mr. Bailey moved the board approve the Register of Capital Improvement Business Transactions for the period of November 19 to December 16, 1977; ratify the construction contract shown above; approve the amended project budget shown above; approve the resubmittal of the amended project entitled Athletic Facilities - Intercollegiate Running Track; grant the university authority to negotiate an appropriate amendment to the existing agreement with Shive-Hattery and Associates for design of the tennis courts; and authorized the executive secretary to sign all necessary documents. Mr. Brownlee seconded the motion and it passed unanimously.

SIOUX CITY AREA EXTENSION LEASE. Vice President Moore reported that in October the board approved a five-year lease agreement for the Sioux City Extension Office. In November, that particular builder gave up his project so the board approved another agreement.

Vice President Moore said it now seems that there has been a change in the dimensions of the building since it has been under construction. The lease agreement provided for rental of approximately 2,500 square feet. Because the area is now larger than expected, there is the opportunity to rent 2,700 square feet. Vice President Moore said the university recommended the board take advantage of the additional space. The overall cost, then, would increase based upon a \$45 per square foot factor.

Vice President Moore said the additional space would provide conference room space which would house the entire extension service staff.

MOTION:

Mr. Slife moved the board amend the lease approved with the Sioux City Extension Office (approved in October of 1977) to indicate lease terms of 2,700 square feet of space at \$45 per square foot. Mrs. Belin seconded the motion and on roll call the following voted:

AYE: Bailey, Barber, Belin, Brownlee, Harris,
Shaw, Slife, Wenstrand, Petersen.

NAY: None.

ABSENT: None.

The motion carried.

President Petersen asked board members and institutional executives if there were additional matters to be brought up for discussion pertaining to Iowa State University. There were no additional matters raised for discussion.

UNIVERSITY OF NORTHERN IOWA

The following business pertaining to the University of Northern Iowa was transacted on Thursday, December 15, 1977.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the month of November 1977 were ratified by the board.

HOLIDAY SCHEDULES, 1978, 1979. The board was requested to approve the proposed holiday schedules submitted by the University of Northern Iowa for 1978 and 1979.

The Board Office reported that the University of Northern Iowa was proposing holiday schedules for 1978 and 1979 which conform to the policy approved by the board at its July 28, 1977, meeting. President Kamerick designated July 3 and December 26, 1978, as holidays and December 24 and December 31, 1979, as holidays.

MOTION: Mr. Bailey moved the board approve the holiday schedules submitted by the University of Northern Iowa for 1978 and 1979. Mr. Barber seconded the motion and it passed unanimously.

CURRICULUM PROPOSAL. The board was requested to refer the University of Northern Iowa's proposal for a doctoral degree program in industrial technology to the Interinstitutional Committee on Educational Coordination for its review and recommendation. (The university's proposal for institution of this degree program is on file at the Board Office.)

The Board Office reported that the proposal represents the institution's first program at the doctoral level.

President Kamerick introduced three University of Northern Iowa staff members who were present for discussion: Dean H. Ray Hoops, Graduate College; Professor Clifford McCollum, College of Natural Sciences; and Professor Alvin Rudisill, Head of Department of Industrial Technology.

Regent Shaw asked if there is a legislative mandate for the university to move towards a program with a doctoral degree. Mr. Richey responded negatively. He said that while there is no "mandate," \$75,000 was put into the university's budget last year for this purpose. He noted that while the money was not specifically budgeted for this program, it was budgeted for a doctoral program.

Regent Belin asked if the \$75,000 includes program additions that are needed in the library, etc. President Kamerick responded that the \$75,000 is a fairly inclusive figure. Dean Hoops said a consulting group assessed the library needs of the university and that assessment was included in the material proposed to be sent to the Committee on Educational Coordination.

MOTION: Mr. Harris moved the curriculum proposal be referred to the Interinstitutional Committee on Educational Coordination for review and recommendation. Mrs. Belin seconded the motion.

President Petersen said the interinstitutional committee should carefully consider the limited resources available today and the prospect for healthy competition for resources in the future. She said the committee should also consider the market opportunities for graduates in light of the resources' "gloom and doom." She added that the board has been committed to excellence and must see to it that its library resources, faculty resources, and general institutional conditions are such that excellence is attained and maintained.

President Petersen commented that the board was presented copies of some letters expressing concerns regarding the proposed curriculum addition. She encouraged the interinstitutional committee to look at those "penetrating" letters before it makes its recommendation to the board.

Regent Barber asked if the University of Northern Iowa has other doctoral proposals "on the drawing board." President Kamerick said the university is now considering a doctorate degree in education.

VOTE ON MOTION: The motion passed unanimously.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported that the Register of Capital Improvement Business Transactions for the period of November 8 through December 5, 1977, had been received by him, was in order, and recommended approval.

The following construction contract was recommended for ratification:

Maucker Union Remodeling

Award to: Charles Mauser and Sons, Waterloo, Iowa \$17,843.00

MOTION: Mr. Slife moved the board approve the Register of Capital Improvement Business Transactions for the period of November 8 through December 5, 1977; ratify the construction contract presented above; and authorize the executive secretary to sign all necessary documents. Mr. Wenstrand seconded the motion and it passed unanimously.

President Petersen asked board members and institutional executives if there were additional matters to be discussed pertaining to the University of Northern Iowa. There were no additional matters raised for discussion.

IOWA SCHOOL FOR THE DEAF

The following business pertaining to the Iowa School for the Deaf was transacted on Thursday, December 15, 1977.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the month of November 1977 were ratified by the board.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported that the Register of Capital Improvement Business Transactions for the month of November 1977 had been received by him, was in order, and recommended approval.

The register contained three contract change orders to the joint contract awarded to Leuder Construction Company, Omaha, Nebraska on July 1, 1977. The school currently has underway three projects under a single contract. These projects involve the Girls' Locker Room Addition and Remodeling, Fire Safety Revisions - Phase I, and Roofing Restoration and Plaster Work at the Girls' Dormitory and Primary Hall. There was a change order on each of the above projects.

MOTION: Mr. Bailey moved the board approve the actions reported in the Register of Capital Improvement Business Transactions for the month of November 1977 and authorized the executive secretary to sign all necessary documents. Mr. Slife seconded the motion and it passed unanimously.

President Petersen asked board members and institutional executives if there were additional matters to be discussed pertaining to the Iowa School for the Deaf. There were no additional matters raised for discussion.

IOWA BRAILLE AND SIGHT SAVING SCHOOL

The following business pertaining to the Iowa Braille and Sight Saving School was transacted on Thursday, December 15, 1977.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the month of November 1977 were ratified by the board.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported the Register of Capital Improvement Business Transactions for the month of November 1977 had been received by him, was in order, and recommended approval.

The board was requested to approve the register and reject the bid received for Fire Safety Items - Phase I - General Contract.

The Board Office reported that the only items on the register involved the opening of bids on November 30 on the Fire Safety Items - Phase I Project. The board allocated \$100,088 to the school for Phase I of the project. Certain fire safety deficiencies were noted in an inspection by the deputy fire marshal on December 8, 1976. In addition to the \$100,088, the 1977 legislature appropriated \$150,000 to the school to eliminate all deficiencies pointed out in the fire marshal report.

The board was requested to ratify the following award of contract made by the executive secretary:

<u>Fire Safety Items - Phase I - Electric Contract</u>	
Award to: Mayhew Electric, Vinton, Iowa	<u>\$31,300.00</u>
(Electric Work)	

A second contract for general construction was recommended for rejection. That bid ran 44% over the architect's estimate. There was also a question as to whether or not the general bid was competitive because of the size of overrun involved. It was recommended that the board reject this bid and that the school, along with its architect, redraft the specifications to include all work needed to totally complete the fire safety project and that the general contract be readvertised and rebid by March 1, 1978.

The Board Office recommended that the school be directed by the board to bring forth for board approval no later than the January meeting an amendment to the existing contract with the architect to provide architectural services for the additional fire safety work involved in Phase II of this project.

The Board Office expressed hope that the electrical work can proceed independent of the general contract portion of the project. The electrical work involves better exit signs, installation of sounding devices for the fire alarm system, installation of smoke detectors, etc. The general construction work involves replacement of and/or recessing of

existing doors, elimination of unenclosed stairs and additional fire escapes to eliminate dead-end corridors in certain buildings.

MOTION:

Mr. Bailey moved the board approve the Register of Capital Improvement Business Transactions for the month of November 1977; ratify the construction contract recommended for electric work on the Fire Safety Items - Phase I Project; reject the general contract bid for Fire Safety Items - Phase I Project; and authorize the executive secretary to sign all necessary documents. Mr. Brownlee seconded the motion and it passed unanimously.

CONTRACT WITH THE UNIVERSITY OF WISCONSIN TO PROVIDE FIELD EXPERIENCE FOR THERAPEUTIC RECREATION INTERN. The board was requested to grant approval to the Iowa Braille and Sight Saving School's request to enter into a contract with the University of Wisconsin to provide a fieldwork assignment for Karen L. Hagen.

The Board Office reported that the school received a request from the University of Wisconsin for the placement of one student at the school as a field experience student in therapeutic recreation. This assignment would be a full-time placement for the period January 16, 1978, through May 12, 1978.

The Board Office encouraged this kind of cooperation between the Iowa Braille and Sight Saving School and institutions of higher education. It added that this kind of interaction between the school and the student should be of benefit to both institutions. No monetary consideration was involved in the contract.

MOTION:

Mr. Slife moved the board approve the request of the Iowa Braille and Sight Saving School to enter into a contract with the University of Wisconsin to provide a fieldwork assignment for Karen L. Hagen. Mr. Wenstrand seconded the motion.

Regent Bailey asked that the school determine the insurance coverage of Ms. Hagen in her assignment.

VOTE ON MOTION:

The motion passed unanimously.

ARCHITECTURAL/ENGINEERING SERVICES FOR CERTAIN CAPITAL PROJECTS. The board was requested to:

1. Authorize the school to secure architectural services from Brown Healey Bock for a project entitled Repair of Guttering on Main Building. Services would be performed under the existing contract with Brown

Healey Bock. Maximum cost for those services is estimated to be \$2,000 based upon the hourly rates contained in the overall contract.

2. Authorize the school to negotiate for specialized engineering services leading to a feasibility study on the swimming pool. Any such agreement would be subject to approval by the board.
3. Authorize the school to negotiate a contract with Brown Healey Bock for architectural services on utilization of the \$240,000 capital appropriation made by the 1977 Session for remodeling/renovation at the school. Such contract would be subject to board approval.

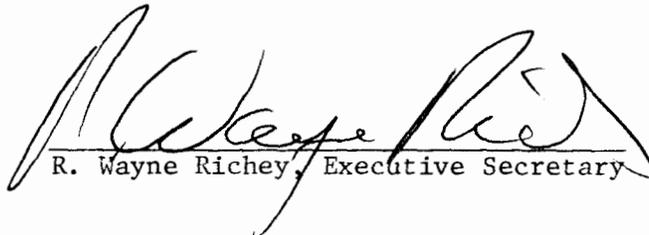
The Board Office reported that its recommended actions were concurred in by Superintendent DeMott.

Regent Bailey commented with respect to a Board Office statement that Brown Healey Bock estimates that the maximum cost for providing the gutter repair services on the Main Building is \$2,000. He noted that the cost seemed excessive. Mr. McMurray added that the \$2,000 estimated cost is a ceiling amount and all costs would be compiled on an hourly basis.

MOTION: Mr. Bailey moved the board approve the three recommended actions as outlined by the Board Office above. Mr. Brownlee seconded the motion and it passed unanimously.

President Petersen asked board members and institutional executives if there were additional matters to be discussed pertaining to the Iowa Braille and Sight Saving School. There were no additional matters raised for discussion.

ADJOURNMENT. The meeting of the State Board of Regents adjourned at 3:00 p.m., Thursday, December 15, 1977.


R. Wayne Richey, Executive Secretary