

The State Board of Regents met at the University of Northern Iowa,  
Cedar Falls, Iowa, on November 11-12, 1971. Those present were:

	<u>November 11</u>	<u>November 12</u>
Members of the State Board of Regents		
Mr. Redeker	All Sessions	All Sessions
Mr. Bailey	All Sessions	All Sessions
Mr. Baldrige	All Sessions	All Sessions
Mrs. Collison	All Sessions	All Sessions
Mr. McCartney	All Sessions	All Sessions
Mr. Perrin	All Sessions	All Sessions
Mrs. Petersen	All Sessions	All Sessions
Mr. Shaw	All Sessions	All Sessions
Mr. Wallace	Absent	Absent
Office of the State Board of Regents		
Executive Secretary Richey	All Sessions	All Sessions
Mr. McMurray	All Sessions	All Sessions
Mr. Caldwell	All Sessions	All Sessions
Secretary Cardamon	All Sessions	All Sessions
University of Iowa		
President Boyd	All Sessions	All Sessions
Vice Provost Hardin	All Sessions	All Sessions
Director Hawkins	All Sessions	All Sessions
Provost Heffner	All Sessions	All Sessions
Vice President Jolliffe	All Sessions	All Sessions
Director Strayer	All Sessions	All Sessions
Professor Vernon	All Sessions	All Sessions
Iowa State University		
President Parks	All Sessions	All Sessions
Vice President Christensen	All Sessions	All Sessions
Vice President Hamilton	All Sessions	All Sessions
Vice President Moore	All Sessions	All Sessions
University of Northern Iowa		
President Kamerick	All Sessions	Excused
Business Manager Jennings	All Sessions	All Sessions
Provost Martin	All Sessions	All Sessions
Director Kelly	All Sessions	All Sessions
Mr. Beard	All Sessions	All Sessions
Mr. Miller	All Sessions	All Sessions
Iowa School for the Deaf		
Superintendent Giangreco	All Sessions	Excused
Business Manager Geasland	All Sessions	Excused
Iowa Braille and Sight Saving School		
Superintendent Rocco	All Sessions	Excused
Business Manager Berry	All Sessions	Excused

G E N E R A L

The Board of Regents met at the University of Northern Iowa, Cedar Falls, Iowa, on November 11, 1971. President Redeker called the meeting to order at 9:07 a.m.

APPROVAL OF MINUTES. The Board Office noted a correction which was made on page 164 of the Minutes of the Meeting of October 13-14-15, 1971, covering the Report on Higher Education Facilities Commission Matters. The Minutes were approved as corrected.

REGENTS-STUDENTS. Mr. Redeker noted that the Regents spent some time visiting with the students on the campus at the University of Northern Iowa; and at the invitation of the students some Regents stayed over night in the dormitories, Wednesday, November 10.

COMMITTEE ON EDUCATIONAL COORDINATION. The Committee on Educational Coordination brought three items to the Board's attention:

1) Annual Report of the Committee on Educational Relations. This report had been distributed to the Regents and Paul E. Morgan, Chairman of the Committee, was present to answer questions relating to it. (Copy on file in the Board Office.) Discussion centered on evaluation of credits and transferability of credits to Regent institutions from area and vocational colleges and other segments of higher education in Iowa. Concern was expressed by one member over the policy of accepting credits from the area schools without question because the area schools serve many students who are not able to accomplish normal college level work. He suggested that this difference between the two programs ought to be explored. Mr. Morgan said these schools are visited periodically by the Educational Relations Commit-

tee which looks closely at the college parallel, makes critical comments and, in some instances, gives only one-year approval. It was reported Iowa State University does not accept credits on technical or vocational subjects from the area schools. The University of Northern Iowa, however, does accept technical credits in two areas - business and industrial arts.

2) Report on Quad Cities Graduate Center. Dr. George Christensen, Chairman of the Educational Coordination Committee, advised that the Committee was not prepared to recommend permanent participation of the three Regent universities in the Quad Cities Graduate Study Center. The Committee recommended approval of the universities' participation for another year because there would be no additional cost. This would permit the Committee adequate opportunity to study several phases before making a permanent recommendation on the Center. The Quad Cities Graduate Center is a not-for-profit corporation dedicated to the expansion of local opportunities for graduate and continuing education. Governance of the Center is by a board of directors composed of representatives from nine colleges and universities, industry, business, and federal installations of the Quad Cities. The member academic institutions supply graduate courses and programs leading to master's degrees which are granted by the institutions. Course offerings and programs are coordinated by the Center. Participating institutions include Augustana College, Northern Illinois University, Southern Illinois University, University of Illinois and Western Illinois University, Iowa State University, Marycrest College, the University of Iowa and the University of Northern Iowa. The Center, funded by the State of Illinois, the Iowa universities and the community, has operated as a three-year experimental project (1971-72 marks the third year). Financing was based on a formula in which the community contributed 50 percent, the State

GENERAL  
November 11-12, 1971

of Illinois 35 percent, the Iowa universities 15 percent. The Illinois Legislature appropriated the Illinois share; the community raised its share through public subscription; the Iowa share was paid by the Extension Service arms of the three universities from income funds (each paying one-third). Iowa payments were based on 15 percent of budgeted projected costs. The first annual audit of the Center revealed that payments exceeded the agreed formula percentage of the Iowa universities when the percentage was applied to actual expenditures. The overpayment for the first two years was about \$15,000, a sufficient sum to fund participation for one more year by the Regents' universities without additional payment. The Center's Board of Directors had requested approval of a fourth year of participation in the Quad Cities Graduate Study Center by the Regents' institutions. The fourth year will be devoted to the resolution of several major issues and the development of longer-range plans for the Center. Actual participation in the program by Iowa State University and the University of Northern Iowa thus far has been somewhat limited, but the Center has given and hopefully will continue to give Regents' institutions experience in cooperatively serving Iowans in other areas of the State.

The Center was set up initially with the thought the primary consumer would be employees of industries and installations taking advance courses. In practice, the largest number of courses was taken by school employees. The consensus was that this effort to continue and improve the state educational program should be encouraged.

MOTION:

Mr. Bailey moved Board approval of the recommendation of the Interinstitutional Committee on Educational Coordination that the three universities (ISU, SUI, UNI) continue participation in the activities of the Quad Cities Graduate Center for a fourth year. The motion was seconded by Mrs. Collison. In the absence of objection, President Redeker declared the motion carried.

November 11-12, 1971

ANNUAL REPORT OF REGISTRARS' COMMITTEE ON COORDINATION. The Board accepted the Annual Report of the Registrars' Committee on Coordination including supplement. (A copy is on file in the Board Office.) Highlights of the report were:

a) The Auditor's Office approved the Registrars' recommendations for changing the hours of credit used in determining full-time equivalent students for the Auditor's formula. A full-time undergraduate student in an academic year was changed from 32 semester hours (48 quarter hours) to 31 semester hours (46.5 quarter hours); for graduate students, from 20 semester hours (130 quarter hours) to 18 semester hours (27 quarter hours). These changes were reflected in the 1970-71 reports made to business officers and to the State Auditor's Office.

b) Certain changes were made on admission forms in the fall, for all three institutions, in view of the Board's action on disciplinary rules and confidentiality of records.

c) Various categories of residence regulations were considered at length during the year. In response to the Education Commission of the State's recommendation relative to uniform residence regulations, referred to the Committee by the Board Office, the Committee was of the opinion that the General Assembly undoubtedly would make some changes in the status of 18-year-olds who were given the right to vote. They do not now have rights normally belonging to those who have reached the age of majority. If this occurs, residence regulations for Regents' institutions probably will need revision. The Committee felt it was premature, however, to suggest new residence regulations at this time.

GENERAL  
November 11-12, 1971

d) Another Student Persistence Report will be made during the coming year based on entering classes of 1965. One Regent requested that this persistence study include detailed reasons for lack of continuation in school as well as recommendations for improvement. The Committee was asked to report to the Board should it not be able to furnish this information.

ANNUAL REPORT ON TUITIONS AND FEES. The Board had at hand an annual report on tuitions and fees ("1971 Student Charges at State Colleges and Universities"). The report included both midwest and national data for comparable institutions. SUI and ISU rank third in resident tuitions and fees with comparable institutions in the Eleven-State Area. UNI ranks first in the Eleven-State Area. Observation was made, however, that UNI probably would rank about the same as ISU and SUI if it were compared with the same institutions it utilizes in calculating its third place salary position. Nationally, SUI ranks 15th highest of the 96 member schools within the National Association of State Universities and Land Grant Colleges; ISU ranks 16th in this group; UNI ranks 35th of the 247-member Association of State Colleges and Universities. Despite the fact that 61 of the 96 NASULGC members increased resident tuitions for the current year, the relative rankings of SUI and ISU were substantially unchanged as compared to the previous year. Only the states of New Hampshire, Pennsylvania, Rhode Island, Vermont and Ohio have higher statewide resident tuition structures than Iowa.

SUI and ISU rank near the median of the 96 NASULGC (SUI - 49th; ISU - 51st) in non-resident tuition. UNI is in the upper one-half (115th out of 247) of AASCU institutions. Median tuitions and fees for non-resident students of institutions within NASULGC rose by almost 17% during the current year.

Median tuitions and fees for resident students of institutions within NASULGC have increased by 37.4% since 1965-66. Median non-resident fees for this group of institutions increased by 54.6% during the same period. The University of Iowa and Iowa State University showed resident student fee rate increases of 78% for that period while non-resident fees rose by 47%. Regent institutions' resident fees, therefore, rose at a rate of almost twice that of the other institutions in that group, while their non-resident fees were rising by a somewhat lower rate than the median of the group.

Regents expressed interest in knowing what changes, if any, had occurred at other institutions in the numbers of out-of-state students, when increases were made in non-resident rates. Information was requested on student costs at small state schools in neighboring states. One member favored increased out-of-state tuition rates, stating it could be a means of obtaining more operating money and, as a side effect, a way of limiting enrollment. Other members and President Boyd voiced opposition to limiting enrollment on an ability to pay basis. Another Regent felt such limitation was contrary to the trend of cooperation and reciprocity among the states and efforts to lower out-of-state tuition; it was to the state's financial interest to work cooperatively with other states so all were not developing and duplicating expensive graduate programs. Contact with out-of-state students was held to be a definite educational benefit to students in Iowa. It was suggested by another that just as much benefit was derived by out-of-state students from association with Iowa students. The subject of tuitions and fees was scheduled for a full hearing during consideration of the 1973-75 budgets.

ENROLLMENT. Regents were presented several reports on enrollments and enrollment projections. The total 1971-72 enrollment in Regents' universities

GENERAL  
November 11-12, 1971

of 49,266 was 677 less than the 49,943 projected in the State Higher Education Budget Analysis (SHEBA) for the 1971-73 budget askings. The University of Iowa budgeted for a small decrease in enrollment but had an increase of 65 students over 1970 and 112 over the amount estimated in the budget. Iowa State University expected an increase of 340 in enrollment but showed an increase of only 46 over 1970 which was 294 fewer than anticipated in its budget. The University of Northern Iowa enrollment declined 118 students from the previous year and had 495 fewer students than budgeted. Enrollment in teacher education programs for 1971-72 showed an increase over 1970-71 of 11.1% at SUI and 8.5% at ISU but UNI showed a decrease of 6.9%. Transfer student enrollment for 1971-72 showed an overall increase of 16.7% over 1970-71 at all three universities (SUI 14.5%; ISU 13.7%; UNI 26.8%). Over the past 10-year period the percentage of non-resident students at all three of the universities had dropped.

A report by Dean Cox of the University of Iowa indicated the percentage of students in Regent institutions increased in each of the last five years from 43.2% in 1966 to 49.0% in 1971 of total enrollments in the state.

The Board considered comments prepared by the Registrars on the Midwest Research Institute enrollment projection study prepared for the Higher Education Facilities Commission. Doubt was expressed regarding the increases projected for area schools college parallel programs and Regents' universities.

The Board considered a national enrollment projection to the year 2000 prepared by the Carnegie Commission on Higher Education. It was noted that the Iowa College going rate of 35.3% is higher than the 31.7% national average. As a result Regent universities may be in a more mature portion of their growth curve than the national average.

November 11-12, 1971

Mr. Beard of UNI reported that Registrars' Committee was not ready to present a 10-year enrollment projection for Regents' institutions. Whether experience in 1971 is the beginning of a trend that can be measured or whether it is an odd year could affect estimates. One Regent requested that the Registrars' 10-year projection include comparable comments on enrollments at the three Regents' universities to give a clearer picture of the situation.

SELECTION PROCESS FOR PRIVATE COLLEGE TUITION GRANTS. The Board reviewed a report prepared by the Board Office on the Iowa Tuition Grant Program which program was established in 1969 by the 63rd General Assembly and administered by the Higher Education Facilities Commission. (Copy of this report is on file in the Board Office.) Although the report answered many questions, there were two which the group requested Regent Bailey present to the HEFC for further clarification:

- 1- Why is a grant not given for four successive years instead of being given two years to one student, two years to another, or one year to four different students?
- 2- Why have the grants averaged nearer \$1,000 when if they were at the \$500 level twice as many could be awarded?

It was noted that students must apply for a grant each year and be evaluated each year.

REPORT OF PURCHASING COMMITTEE - FIRST QUARTER, 1971-72. The Board had at hand the Purchasing Committee Report for the first quarter of 1971-72 (July, August, September). During this quarter the Committee reported --

- 1) A joint contract on ice cream requirements for SUI and UNI.
- 2) Rebidding of the joint contract on computer forms with estimated requirements totaling \$52,463.85. (Three firms submitted bids; award given to Moore Business Forms, Iowa City.)
- 3) Joint bidding has now taken place on transport gasoline, tank wagon gasoline, fuel oil, batteries, large lamps, ice cream, computer forms, photo supplies.

November 11-12, 1971

- 4) Joint Price Survey has been developed, 1971-72, where 126 times are compared to price, terms, supplier, requirements. Much of the joint contracting effort of the Committee will revolve around this survey during the next six months.
- 5) An exchange of information on various purchasing practices, needs, requirements.
- 6) A total of only 26,488 regular purchase orders were written (the lowest quarterly total reported to date). Some of the decline is due to seasonal variations but part is due to the effort made to contract for needs on a continuing basis rather than a "one-shot" approach.
- 7) A total of \$16,037,979.19 in payments were made.
- 8) 8,069 blanket orders, contract orders and local small orders were processed with a dollar volume of \$971,263.60.
- 9) Of 6,789 written inquiries sent out, 1,785 orders resulted; of 938 telephone inquiries made at ISU and UNI, 402 orders resulted.

The significant savings reflected in the report were noted. Identifiable dollar savings amounted to more than \$144,000 in one quarter, derived from utilization of cash discounts totaling \$29,252.15, educational discounts of \$75,000 at SUI, a new method of purchasing paper and \$31,000 from substitution of oleo for butter at UNI. The Committee has been seeking better ways to measure savings realized through operations of centralized purchasing in a university setting. One clear measure is educational discounts since such discounts would not be available to state purchasing agencies. More difficult to measure are the savings realized through professional aid given departments in central purchasing by changes in source, substitution of product, and by methods such as leasing and standardization of requirements.

Members asked whether the Purchasing Committee had given adequate consideration to the possibility of supplying the institutions' needs through the Iowa Prison Industries. Mr. McMurray reported that Committee members were studying this matter in depth which will be reported to the Board. The Board concurred in the direction suggested by the Board Office whereby departmental utilization of purchasing expertise should be the major area

GENERAL  
November 11-12, 1971

of concern by institution administrators in purchasing during the current fiscal year. It was noted that quite often only purchasing officers have the over-view needed in meeting departmental needs. Departments that do not fully tap this resource are, in effect, doing a disservice to the institution. The Committee members were commended for their efforts and achievements in effecting substantial savings.

INSTITUTIONAL VISITS BY THE BUDGET AND FINANCIAL CONTROL COMMITTEE. The Budget and Financial Control Committee had visited the Iowa Braille and Sight Saving School, the University of Iowa and the University of Northern Iowa. Copies of the Committee's advance list of questions to the institutions were furnished Board members. Many additional questions were raised during each visit. One of the major questions during the visit of the Committee to the University of Iowa related to the faculty workload studies of the institution and the role of the Board of Regents in insuring that the studies produced comparable and worthwhile data. Some Committee members proposed that the faculty workload data be developed on an interinstitutional basis in such a manner as to be both comparable and compatible. The Board Office suggested it would be appropriate for the Board to renew its charge to the Committee on Educational Coordination to develop uniform and compatible data and that it be related to certain productivity or output measures. It was also suggested that the Board instruct the universities to develop this data in such a way that it would be useful in the preparation of their long-range academic plans. Provost Heffner reported SUI is attempting to coordinate the work to provide a pattern for ISU and UNI. The information would be fed into the computer providing a "bank" of information to return a variety of reports and information.

GENERAL  
November 11-12, 1971

While the questions at the BFCC meetings were directed primarily to the institutional administrators, Board members in attendance were entered into the discussions. Some expressed concern that a few of the facts and figures already given the Committee might possibly be outdated or incomplete. In order that each institution and all Board members would be fully cognizant of the activities with the BFCC thus far, the Board Office was asked to determine what records were available from the Committee on past meetings.

WAGE-PRICE FREEZE. In response to the Board's request for an opinion on the constitutional effectiveness of the Federal Wage-Price Freeze as it applied to the academic year employment contracts entered into by the Board of Regents, Attorney General Turner wrote, on November 4, 1971, "In my opinion the Federal Wage-Price Freeze is constitutionally effective as it applies to the academic year employment contracts entered into by the Board of Regents...". With Phase I of the Wage-Price Freeze approaching its end, Professor David Vernon reported his interpretation of the information available regarding allowable wage increase activity under Phase II of the President's Wage-Price Freeze. Contracts entered into prior to the Wage-Price freeze announcement in August may be reinstated as of November 14, provided the amount involved is not extraordinarily above 5-1/2%. Because the average amounts involved in wage increases at the institutions run well below the 5-1/2% guideline and assuming no federal directive to the contrary, Professor Vernon stated it would be in order for the institutions to pay salary increases previously agreed to by contract. This would be effective November 14, 1971, and increases would be reflected in the December 1 checks. Regulations on retroactive pay of frozen salary increases remain to be clarified.

MOTION: Mr. Bailey moved the Board direct the institutions to proceed as of November 14, 1971, with contract pay rate increases for employees whose salaries were frozen during the President's Wage-Price Freeze directive, withholding any action on retroactive payments for the time being, all this being subject to later regulations. The motion was seconded by Mr. Shaw, and carried by unanimous approval.

BOARD OFFICE PERSONNEL REGISTER. Initiated at this meeting as a regular item on the General Docket was a Register of Personnel Transactions for the Board Office. Personnel transactions for the Board Office for October-November 1971, presented for Board approval, were --

- 1- Resignation of Joan Von Stein, Accounting Clerk III, effective October 19, 1971.
- 2- Appointment of Cecelia Mininger, Accounting Clerk I - regular part-time (probationary appointment), effective October 25, 1971 - 5 hours per day, 5 days per week, at \$275.00 per month plus usual fringe benefits.
- 3- Appointment of Margaret Dauffenbach, Secretary I - temporary part-time (probationary appointment) 5 hours per day, 5 days per week, at \$2.50 per hour, terminating at end of day on Friday, November 5, 1971.
- 4- Leave of Absence for Paul V. Porter, Director, Research and Information, one year leave of absence without pay, effective January 1, 1972.

MOTION: Mr. Bailey moved for Board approval of the Register of Personnel Transactions for the Board Office for the period October-November, 1971, as presented above. The motion was seconded by Mrs. Collison, and carried by unanimous approval.

GOVERNOR'S EDUCATIONAL ADVISORY COMMITTEE Each institution had furnished comments on the recommendations contained in the report of the Governor's Educational Advisory Committee. Elsewhere in these minutes the Board's

GENERAL  
November 11-12, 1971

position on coordination, planning, and governance are covered. The Board Office reported that questions, comments and recommendations of both the Governor's Committee and the Legislative Higher Education Study Committee, relating to teacher education, extension programs, professional teaching standards, innovations in educational technology in-service training programs, and the instructional counseling and administrative personnel needs of the area schools were being referred for study to the Deans of Education and Deans of Extension of the institutions. The Board Office reported that it will continue, in conjunction with the universities, to review the Governor's Committee report and schedule appropriate subjects for Board consideration at future meetings. It was anticipated the Board would consider many of the problems during the next several months in the formulation of its budget for the 1973-75 biennium.

The Board instructed that comments on the recommendations of the Governor's Educational Advisory Committee be forwarded without delay to the Office of Planning and Programming. It was suggested the OPP be requested to relay the information being furnished to other members of the Governor's Committee.

HIGHER EDUCATION STUDY COMMITTEE. Board members noted the next Higher Education Study Committee meeting was scheduled for November 29-30. Answers to several Committee questions scheduled for that meeting were transmitted to Board members prior to the meeting. The Executive Secretary is to prepare the full response to the questions and represent the Board at the meeting.

COORDINATING COUNCIL FOR POST HIGH SCHOOL EDUCATION. Mr. Perrin reported on the meeting of the Iowa Coordinating Council for Post High School Education, held November 4, 1971. Some of the highlights were --

November 11-12, 1971

- 1) Ottumwa Heights College reported a plan to offer a program to train medical record technicians; also a 2-year B.S. in Nursing Sequence upon completion of which students would be accepted by Marycrest College with full Junior status.
- 2) Loras College in Dubuque announced its intent to offer an M.A. in Secondary Education in English and Social Studies, both programs designed to upgrade existing teachers.
- 3) The possibility of reciprocal arrangements between the University of Nebraska and Iowa Western Community College for offering four years of public education was to be explored.
- 4) There was considerable discussion surrounding a proposed bill which would in essence combine the current Higher Education Facilities Commission and components of the Iowa Coordinating Council for Post High School Education, creating an Iowa Coordinating Commission for Post High School Education. Before deciding whether or not to endorse the bill, the Council wished to explore alternatives that might be considered for coordinating higher education in Iowa; for example, coordinating with our neighboring states within the scope of authorized operation; reciprocal arrangements on an institution basis.

REGENTS' LEGISLATIVE PROGRAM. The Board reviewed and considered several issues in preparation for the 1972 session of the Legislature. Among the items covered were --

1) Governance. In view of pending federal legislation providing general institutional support of higher education as opposed to categorical support, the current study of higher education by the Iowa Legislative Council and the report of the Governor's Educational Advisory Committee, question was raised as to whether the Regents' position on governance, coordination and planning of post high school education should be further considered. Concern was expressed by members regarding the effectiveness of an advisory group if information was inadequate so far as input by all segments of higher education in the State. One Regent cautioned the group of possible dangers in unequal representation on the commission if it administered federal block

grants. Another Regent pointed out that Iowa has, in effect, a super board, the Legislature that has requested aid in this process. Since there was a trend toward statewide coordinating and planning, the Board should display leadership in this area in the interest of all education in Iowa. There was interest in the activity and experience of other states in this regard. A Board member observed other states are "making haste to come up to the Regents' system as presently conceived". He detected a trend back from coordinating to governing boards. In his opinion, there seemed to be a need for a group to allocate federal funds, but he questioned whether there was any other purpose for a new coordinating or governance group. He felt the responsibilities and purpose needed clearer defining. The general consensus of the Board was to withhold any action on governance until further developments in Federal legislation on general institutional aid.

2) Collective Bargaining.

MOTION: Mrs. Petersen moved the Board defer any action regarding its position on collective bargaining legislation; that it request the institutions to review collective bargaining possibilities and report to the Board their viewpoints in light of current experiences and details which should be considered in such legislation. The motion was seconded by Mr. Perrin. In the absence of objection, the motion carried.

EXECUTIVE SESSION President Redeker reported several items to be discussed at Executive Session - a personnel action for UNI, two personnel matters and a matter concerning property for SUI, and, if time permitted, continued discussion with regard to the search for a new superintendent at IBSSS.

On the question as to whether the Board should resolve itself into Executive Session the roll call was as follows:

GENERAL

November 11-12, 1971

AYE: Bailey, Baldrige, Collison, McCartney  
Perrin, Petersen, Redeker, Shaw.

NAY: None.

ABSENT: Wallace.

The Board, having voted in the affirmative by at least a 2/3 majority, resolved itself into Executive Session at 3:15 p.m. and arose at 5:00 p.m.

The following business pertaining to general or miscellaneous matters was transacted on Friday, November 12, 1971.

REGENTS' LEGISLATIVE PROGRAM. Discussion on the Regents' Legislative Program continued. The following were covered:

3) Institutional Roads. The Board Office reported it presently is working with the National Guard, the Conservation Commission and the Department of Social Services to develop a joint bill which would increase by \$400,000 the amount of Road Use Tax Funds credited annually to the Primary Road Fund for construction of institutional roads. The current allocation is \$800,000 per year which, over a 10-year period, would meet only \$8 million of users' identifiable 10-year construction needs of \$12 million. No increase in state appropriations would be required.

MOTION: Mr. Bailey moved the Board approve as part of its legislative program the proposal set out above where the Board would develop a joint position (with the National Guard, Conservation Commission and Department of Social Services) to increase the amount of Road Use Tax Funds credited annually to the Primary Road Fund for construction of institutional roads by \$400,000. The motion was seconded by Mr. Baldrige, and carried by unanimous approval.

4) Academic Revenue Bond Act. Two changes of position were suggested, relative to Chapt. 262A of the Academic Revenue Bond Requirements: a) Whether

GENERAL  
November 11-12, 1971

to seek legislation decreasing the term of the Ten-Year Building Program submitted from 10 to 5 years; and b) whether to seek biennial submission of the plan instead of annual programs. While agreeing to the desirability of these changes, the Board Office questioned whether the 1972 session was the appropriate time to solicit them and recommended the Board defer the matter until the 1973 Legislative Program is under discussion. The Board generally agreed that the amendments were needed but that the matter should be deferred.

MOTION: Mr. Perrin moved the Board Office be directed to bring the matter relative to the Academic Revenue Bond Act, as presented above, to the Board's attention when the 1973 Legislative program is discussed. The motion was seconded by Mr. McCartney, and carried by approval of all present.

5) Supplemental Appropriations - 1972 Session. The Board discussed supplemental appropriations for operations of the institutions for the second year of the biennium and whether they should be sought. In view of the lack of funds available and in light of the fact that there are no excess funds for the period, one member thought any request for additional funds at this time could present a problem for the 1973-75 biennial appropriation request. Another member expressed dislike in giving the impression that the Regents did not have urgent unmet needs. If a real urgency arose, he felt the Board should give such urgency consideration and decide then whether or not to seek additional appropriations. The matter of funding unemployment insurance was mentioned as bearing on this question. Information was requested regarding legislative requests of other state agencies in this matter.

Executive Secretary Richey offered to check into the matter and keep the Board apprised.

MOTION: Mr. Perrin moved the Board not seek additional funds for the general expenditures of the institutions during the 1972 session of the General Assembly; however, should a special emergency arise between the time of this Board meeting and the legislative session, the Board should give consideration to whether or not appropriation should be sought for it. The motion was seconded by Mrs. Petersen. In the absence of objection, President Redeker declared the motion carried.

In voting on the above motion, Regent McCartney wished to make it clear he would be in favor of considering only real emergency needs for which to seek additional appropriation, not merely needs which an institution may consider needed for its well being. President Redeker requested that the Board's action in this regard be relayed to President Kamerick (UNI) who was not present, to allow him an opportunity to comment if he wished.

6) Ban on Increase in Basic Undergraduate Resident Student Tuition Fee. It had been suggested that the ban on increases in the basic undergraduate resident student tuition fee, contained in the Regents' appropriation for the current biennium be repealed during the 1972 G.A. The thought behind the proposal is that this is an inappropriate restriction by the Legislature on the Board of Regents. Suggestion was made, too, that the Board of Regents could better spend its time on other matters during the coming session than try to repeal a ban on tuition increases when the Board does not, in any case, plan to increase the basic undergraduate resident student tuition fee. Some expressed the view that it may be more timely to seek removal of the restriction when there was no intent to seek an increase of tuition; others suggested that as long as the law expires in a year, silence

at this time would be justified since there is no immediate intent to increase tuition. One commented that there could be merit in tying tuition in some way to the ability to pay and ask legislators to reconsider. Some suggested that it would be better to establish a position and advise the legislators informally, rather than seek legislation.

MOTION: Mrs. Petersen moved that the Board go on record as supporting the principle that the power to set tuitions reside in the Board of Regents but that at this time the Board not seek a change in the legislation that expires at the end of the current biennium. The motion was seconded by Mr. Baldrige.

MOTION TO AMEND: Mrs. Collison moved to amend the above motion so it would read as follows: "That the Board go on record as supporting the principle that the power to set tuitions reside in the Board of Regents." Mr. Shaw seconded this motion to amend.

Although he was not in disagreement with the principle of the motion, one member was not in favor of making the Board's opposition to the current legislation a matter of record; rather, he thought this could be done in an unofficial manner much more effectively. Others stated that as a matter of principle, the Board's opposition should be a matter of record to avoid possible misinterpretation later when and if a tuition increase becomes a real need.

On roll call the vote on the motion to amend was as follows:  
AYE: Bailey, Baldrige, Collison, Perrin, Redeker, Shaw.  
NAY: McCartney, Petersen.  
ABSENT: Wallace.  
The motion carried.

On roll call, the vote on the motion,  
as amended, was as follows:  
AYE: Collison, Perrin, Petersen, Redeker,  
Shaw.  
NAY: Bailey, Baldrige, McCartney.  
ABSENT: Wallace.  
The motion carried

TEN-YEAR BUILDING PROGRAM. A Ten-Year Building Program (1972-82) was proposed for Board approval for submission to the 64th G.A., Second Session, in compliance with Chapter 262A. This chapter of the Code requires that the Board present a ten-year program to the Legislature no later than seven days after the convening of each regular session of the Legislature. The proposed program amounted to \$222,538,000 of which \$22,868,000 was funded by the 64th G.A., 1st Session. The unfunded portion amounted to \$199,670,000 of which \$167,796,000 is projected as state funding with the remainder projected from federal and other funds. It was pointed out this program is consistent with the past two plans - 1970-80 (\$220,676,000) and 1971-81 (\$218,535,000). Program funding would be as follows:

State Funded	\$ 22,868,000
State Requirements over 4-1/2 Biennia	167,796,000
Federal Funding, if available	29,711,000
Other Requirements	2,163,000

Breakdown of the elements financed from new state funds are as follows:

1- Utility Projects (12 total)	\$ 10,767,000
2- Institutional Service Facilities (12 total)	21,529,000
3- Major Remodeling of Academic Facilities (21 different projects)	20,716,000
4- New Academic Facilities (32 different projects)	94,814,000
Library	17.4% \$16,477,000
Unique Program Expansion	17.3% 16,411,000
Consolidation of Programs	35.9% 34,017,000
Expansion Due to Enrollment	29.5% 28,009,000
5- Recurring Items Deferred Equipment	19,970,000

November 11-12, 1971

MOTION: Mr. McCartney moved the Board approve submittal to the 64th G.A., Second Session, of the Ten-Year Building Program totaling \$222,538,000, funded as set out above. The motion was seconded by Mr. Perrin.

In ensuing discussion reference was made to the building needs study, currently under way, which might influence changes in priorities in the next projection. It was made clear, however, that the report presented at this meeting represented the best judgment of needs at this time. In noting the provision for two educational buildings, one at ISU and one at SUI, a Regent suggested that in view of discussions related to placing emphasis on teacher production at UNI this matter should be carefully considered. Such consideration will be given in formulating 1973-75 biennial askings.

In voting on the above motion, all members present voted AYE except Mr. Bailey, who voted NAY. The motion carried.

ADVANCE SCHEDULE. The Board noted two items to be covered during the December 9-10, 1971, Meeting; namely, Report of the Ad Hoc Committee on Campus Conduct and Regents' Merit Rules on Classifications, Compensations and Definitions.

INFORMATIONAL ITEMS. The Board noted disposition of the request for a hearing by the Iowa County Engineers Association with regard to discontinuation of the Technical Institute at Iowa State University. The request was withdrawn. Also noted were informational items contained in excerpts from the October 22, 1971, issue of "Higher Education and National Affairs".

GENERAL  
November 11-12, 1971

FACULTY ETHICS AND ACADEMIC RESPONSIBILITY. Board action on the matter of Faculty Ethics and Academic Responsibility of the three universities has been pending several months, awaiting completion of faculty reports. Questions were raised regarding the status of this matter. President Boyd reported that the matter was before the Faculty Council and was scheduled to be placed before the Faculty Senate at the University of Iowa shortly.

BUDGET. The subject of budget askings for 1973-75 was raised because of the probable need to include additional funds to meet extreme needs, such as for R.R.&A. He requested detailed information on the exact needs projected in this area, the accumulation of such needs over the last three biennia, and related details to help the Board develop this aspect of the budget askings.

INFORMATION COMMITTEE. In answer to queries and comments regarding the dissemination of pertinent information relative to Board actions, fact sheets, etc., the Board Office reported the Information Committee was working on a procedure for reporting to legislators and the public on matters of specific interest to them. President Redeker advised he had requested Regent Baldrige, because of his experience and knowledge of news media mechanics, to sit in with this Committee, as a Board representative. The Board was in agreement.

LEGISLATIVE MAILING. Regent McCartney requested the Board Office to send the motion adopted by the Board in September, on the form and contents of reports by the Committee on Educational Coordination regarding new or expanded academic programs, to key legislative leaders and the Governor. Such leaders were named as being the Legislative Council and BFCC Chairman.

GENERAL  
November 11-12, 1971

NEXT MEETINGS:

December 9-10	Board Office	Des Moines
January 13-14	Iowa State University	Ames
February 10-11	University of Iowa	Iowa City
March 9-10	University of Northern Iowa	Cedar Falls
	Iowa Braille & Sight Saving School	Vinton
April 13-14	Iowa School for the Deaf	Council Bluffs
May 11-12	Iowa State University	Ames
June 8-9	University of Iowa	Iowa City
July 13-14	University of Northern Iowa	Cedar Falls

EXECUTIVE SESSION. Reporting that the discussion started in Executive Session on Thursday on the subject of the search for a superintendent for IBSSS was not finished, President Redeker suggested the Board resume the Executive Session for the purpose of completing this discussion. By general agreement the Board resumed the Executive Session at 5:50 p.m. and arose at 6:20 p.m.

STATE UNIVERSITY OF IOWA

The following business pertaining to the State University of Iowa was transacted on Thursday, November 11, 1971.

PUBLIC HEARING, PLANS, SPECIFICATIONS, CONTRACT 1 - UTILITIES - TURBINE GENERATOR. President Redeker called the meeting to order at 11:00 a.m., Central Standard Time, November 11, 1971, and the roll being called, there were present Stanley F. Redeker, President, in the chair, and the following named members: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Shaw. Absent: Wallace.

The President advised that this was the day, time and place set for a hearing on the proposed plans and specifications and proposed form of contracts for Contract 1 - Utilities - Turbine Generator on the campus of the State University of Iowa in Iowa City, Iowa.

President Redeker inquired whether there were any present who wished to register objections concerning either the proposed plans and specifications or proposed form of contracts. No objectors were present.

The President then inquired whether the Executive Secretary had received any written objections to the project. The Executive Secretary stated that he had not received any such objections. There being no objections, the President declared the public hearing closed.

The following business pertaining to the State University of Iowa was transacted on Friday, November 12, 1971.

COLLEGE OF EDUCATION ADMISSIONS. For continuation of a quality program in teacher education with available funds, facilities, faculty, etc., the

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

University recommended and requested Board approval of a proposal that its catalog material relating to admission to teacher preparation programs be expanded to provide for a limitation in enrollment, similar to the catalog stipulations set forth for admission to the professional colleges at the University of Iowa. Dean Howard Jones of the College of Education gave a brief presentation explaining the reason for the proposal. Increases in enrollments in teacher preparation programs have stretched the capacity of the University to provide for prospective teachers in terms of faculty resources available and of the number of practicum placements possible in eastern Iowa. The University feels, since the supply of teachers exceeds the demands in most teaching fields now, employing additional faculty members and setting up student teaching centers at some distance from the University does not seem warranted. As an example of the problem of handling an uncontrolled influx of students Dean Jones reported that in early September and at the fall registration period, 53 students who had not previously indicated an interest in special education requested immediate admission to the special education teacher preparation program and to courses in the major. When these 53 were added to those already admitted to the program the course registrations jumped to almost unmanageable numbers. Some alterations were made in the schedule of courses and in required practicum experiences. Advanced doctoral candidates were employed to assist in instruction. These were emergency measures that could not and should not be continued. Although it is anticipated that needs for special education teachers will continue to increase, the University felt present enrollments in special education teacher preparation programs at the University of Iowa, the University of Northern Iowa, Drake University and a few small colleges in Iowa will meet present demands for special education teachers

existing in Iowa. Under this proposal it will be necessary to impose quotas for admission to the elementary teacher preparation program and to the special education teacher preparation program. Ceilings will be needed also on enrollments for those preparing for teacher high school English and social studies. Major factors determining quotas to be set are faculty resources available and student teaching and other practicum stations that can be provided. In special education the quota is expected to provide for 60 students to graduate from the University each year. The quota for the elementary education teacher preparation program would provide for 240 graduates each year. In secondary education there would be quotas set to provide for 80 graduates in English and 80 graduates in social studies.

While the above listed programs are the only ones necessitating quotas at this time, the University sought authority, if approved, to set quotas on other programs whenever the need would be felt, using the same determination factors.

It was explained that the major factors to be utilized in selecting applicants admitted within the quotas are:

Demonstrated experience in establishing rapport with and motivating children and young people.

Previous scholarship success.

Results of aptitude tests.

Under this plan students would be classified as pre-education students until the end of the sophomore year. During the sophomore year an introductory course in education would be accompanied by classroom practicum experiences which enable a prospective teacher to determine his or her ability to relate to and work with children and young people. Any necessary quotas would be

imposed at the end of the sophomore year.

Immediate application of the above policies was desired. While enrollments are completed for the fall semester, it was felt, with ample publicity, students desiring admission to teacher education programs in the future could be encouraged to apply between the current date and end of the academic year. There would be admissions committees to apply the admissions criteria starting in the spring.

Point was made in discussion that in setting a quota there was the danger people would think they were not needed in education, but with approximately 100,000 new teachers needed each year, any young person who has the attributes and aptitudes for teaching should be given every encouragement. On question Dean Jones reported that guidance counseling is made available to students with regard to the advisability of pursuing studies in the teacher education program, if they express an interest, or directing their efforts along other fields in line with their aptitudes and interests, should they not be included in a particular quota.

A Board member expressed concern that too often emphasis is placed on the need at the end - the job market - and not on the education needs of the individual students. He had no objection to quotas in limiting enrollment in some of the education fields and felt this type of system would increase, but he was concerned with the means by which enrollment is restricted - the screening process used to assure a fair selection from the pool of qualified students. As he pointed out, it is not easy to determine scientifically from scholastic averages which candidate will be most likely to succeed. He mentioned a lottery system of selection might be considered or selection by first-come, first-served. He urged that all possibilities should be explored before setting a screening pattern.

Board members generally commended the University and Dean Jones for the presentation and the well thought out proposal.

MOTION: Mr. McCartney moved the Board approve enrollment limitation in teacher preparation programs at the University of Iowa as set out by the University. The motion was seconded by Mrs. Petersen, and carried, with all voting AYE except Mr. Perrin who voted NAY.

STUDENT TEACHING TO FULL SEMESTER. Dean Howard Jones discussed a proposal that the period of student teaching in the College of Education be increased from eight weeks to a full semester. The proposal had the approval of President Boyd who wished to inform the Board of this anticipated program change. The University explained a large majority of teacher education program graduates and undergraduates canvassed favored increasing student teaching experience to the full semester believing it a very valuable aspect of their preparation. Too, a growing number of other universities and colleges are increasing the student teaching period, and professional organizations concerned with teacher education strongly recommend a full quarter or semester of student teaching. The University explained also that a trial program conducted for a small number of students doing a full semester was highly successful and students were enthusiastic in their endorsement. It was pointed out that student teachers would devote full-time to student teaching during the semester assigned for that and participate in all aspects of the school's program. Those assigned to outlying schools would be encouraged to reside in the community where they would be teaching. Those assigned to schools within commuting distance of Iowa City would be given the option of commuting or taking up residence for one semester in the community in which they are teaching. Under this proposal the University would be relieved of responsibility of bussing student teachers. The Board appreciated being informed by the University of this plan.

STUDENT TEACHING AGREEMENTS. The University requested Board approval of agreements for student teaching in the following districts, explaining the agreements would be similar in form and content to those approved in previous years:

Joint County System, Marshall-Poweshiek	Muscatine Public School System
Tipton Community School District	Bettendorf Community School Dist.
The Joint County School System	West Liberty Community School Dist.
Central Clinton Community School Dist.	Anamosa Community School Dist.
College Community School Dist.	Montezuma Community School Dist.
Washington Community School Dist.	Davenport Public School System
Linn-Mar Community School Dist.	Williamsburg Community School Dist.
Marion Independent School Dist.	Clear Creek Community School Dist.
Regina High School, Iowa City, Iowa	Grinnell-Newberg Community School Dist.
Solon Community School Dist.	Assumption Senior High School
Iowa City Community School Dist.	SEMCO Community School Dist.
Muscatine-Scott County School Dist.	West Branch Community School Dist.

MOTION: Mr. Perrin moved that the Board approve the student teaching agreements for the 1971-72 academic year with the school districts listed above. The motion was seconded by Mrs. Petersen, and carried unanimously.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported the Register of Capital Improvement Business Transactions for the period October 4 through October 29, 1971, had been filed with him, was in order, and was recommended for approval. The following construction contracts were recommended for approval:

<u>Project</u>	<u>Awardee</u>	<u>Type of Cont. Item</u>	<u>Amount</u>
Zoology Building - Replace Hot Water and Return Lines	AAA Mechanical Con- tractors, Inc., Iowa City, Iowa	Mechanical	\$ 9,681.00
General Hospital - Pediatrics Clinic Add.	Burger Constr. Co. Iowa City, Iowa	General Concrete Slab	37,475.00
" "	Selzer Constr. Co. Iowa City, Iowa	Foundation Wall	24,972.00
" "	Meisner Electric Newton, Iowa	Electrical	5,322.00
" "	Kondora Plbg. & Htg. Iowa City, Iowa	Piping	8,485.00
" "	Universal Climate Con- trol, Inc. Ia.City	Htg., Vent., AC	10,400.00
Jefferson Bldg. - Add. Secondary Feeders	Fandel, Inc., Cedar Rapids, Iowa	Electrical	11,344.00
College of Nursing Building Equipment	Triangle School Serv. Sioux Falls, S. Dak.	Proj. Screens	302.20

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
College of Nursing Building Equipment	Triangle School Ser- vice, Sioux Falls, South Dakota	Proj. Screen	\$ 35.60
" " "	Triangle School Ser- vice, Sioux Falls, South Dakota	Projectors	2,910.00
" " "	K & M Electronics, Minneapolis, Minn.	Proj. Carts	135.00
" " "	Triangle School Ser- vice, Sioux Falls, South Dakota	Proj. Carts	277.20
" " "	Treck Photographic Davenport, Iowa	Projectors	980.56
" " "	Treck Photographic, Davenport, Iowa	Projectors	1,178.10
" " "	Triangle School Ser- vice, Sioux Falls, South Dakota	Projectors	687.80
" " "	Triangle School Ser- vice, Sioux Falls, South Dakota	Adapters	93.30
" " "	Union Supply, Iowa City, Iowa	Recorders	161.80
" " "	Triangle School Ser- vice, Sioux Falls, South Dakota	Projector	264.10
" " "	Triangle School Ser- vice, Sioux Falls, South Dakota	Paper Cutter	34.50
" " "	Tri-City Blueprint, Moline, Illinois	Lettering Set	76.50
" " "	Tri-City Blueprint, Moline, Illinois	Table Post	145.00

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
College of Nursing Building Equipment	Triangle School Service, Sioux Falls, South Dakota	Visual Kit	\$ 82.00
" " "	TCR Distributors, Davenport, Iowa	TV Monitors	2,250.00
" " "	TCR Distributors, Davenport, Iowa	Camera	957.00
" " "	TCR Distributors, Davenport, Iowa	Dolly	244.11
" " "	TCR Distributors, Davenport, Iowa	Recorder	660.25
" " "	TCR Distributors, Davenport, Iowa	Converter	34.50
" " "	TCR Distributors, Davenport, Iowa	Monitor	277.50
" " "	TCR Distributors, Davenport, Iowa	Microphone	43.50
" " "	Klinger Office Supply, Cedar Rapids, Ia.	File Cabinets	118.80
" " "	Klinger Office Supply, Cedar Rapids, Ia.	Staplers	485.68
" " "	J. S. Latta & Son, Cedar Falls, Iowa	Lever Attach.	10.52
" " "	J. S. Latta & Son, Cedar Falls, Iowa	Staplers	65.88
" " "	Klinger Office Supply, Cedar Rapids, Ia.	Wastebaskets	587.52
" " "	Fidelity File Box Company, Minneapolis, Minn.	Files	199.50
" " "	Fidelity File Box Company, Minneapolis, Minn.	Desk Topper	39.95
" " "	J. S. Latta & Son, Cedar Falls, Iowa	Pencil Sharp.	74.80

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
College of Nursing Building Equipment	Frohwein Supply, Iowa City, Iowa	Postal Scale	\$ 26.25
" " "	Klinger Office Supply, Cedar Rapids, Ia.	Paper Cutter	8.95
" " "	Klinger Office Supply, Cedar Rapids, Ia.	Paper Cutter	17.50
" " "	J.S. Latta & Son, Cedar Falls, Iowa	Paper Punch	8.88
" " "	Klinger Office Supply, Cedar Rapids, Ia.	Copyholders	16.80
" " "	J.S. Latta & Son, Cedar Falls, Iowa	Tape, Dispensers	178.56
Music Building Equipment	Wenger Corporation, Owatonna, Minnesota	Chair Stands	170.00
" "	Wenger Corporation, Owatonna, Minnesota	Folio Center	168.00
" "	Wenger Corporation, Owatonna, Minnesota	Caster Base	33.00
" "	Sound 80, Inc., Minneapolis, Minn.	Remote Control	280.00
" "	Sound 80, Inc., Minneapolis, Minn.	Remote Control	240.00
" "	Mastertone Company, Des Moines, Iowa	Remote Control	166.60
" "	Stereo Shop, Iowa City, Iowa	Recorder	1,196.25
" "	Stereo Shop, Iowa City, Iowa	Remote Control	37.47
" "	Buchla & Associates, Berkeley, California	Cabinet	340.00
" "	Buchla & Associates, Berkeley, California	Spatial	950.00
" "	Buchla & Associates, Berkeley, California	Matrix Mixer	480.00

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
Music Building Equipment	Buchla & Associates, Berkeley, California	Monitor	450.00
" "	Buchla & Associates, Berkeley, California	Env. Detector	180.00
" "	Buchla & Associates, Berkeley, California	Volt. Source	900.00
" "	Buchla & Associates, Berkeley, California	Oscillator	450.00
" "	Buchla & Associates, Berkeley, California	Adapter	620.00
" "	Buchla & Associates, Berkeley, California	Module	420.00
" "	Buchla & Associates, Berkeley, California	Generator	700.00
" "	Buchla & Associates, Berkeley, California	Modulator	600.00
" "	Buchla & Associates, Berkeley, California	Filter	600.00
" "	Buchla & Associates, Berkeley, California	Lopass Gate	380.00
" "	Buchla & Associates, Berkeley, California	Filter	350.00
" "	Buchla & Associates, Berkeley, California	Buchia System	11,560.00
" "	Stereo Shop, Iowa City, Iowa	Stereo Systems	525.00
" "	Sound 80, Inc., Minneapolis, Minn.	Stereo Unit	2,200.00
" "	Optical Electronics, Inc., Tucson, Arizona	Modules	345.00
" "	Optical Electronics, Inc., Tucson, Arizona	Modules	1,230.00
" "	Optical Electronics, Inc., Tucson, Arizona	Module	320.00

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
Music Building Equipment	Optical Electronics, Inc., Tucson, Arizona	Module	280.00
" "	Fairlane Electronics, Cedar Rapids, Iowa	Microphones	498.00
" "	Fairlane Electronics, Cedar Rapids, Iowa	Microphones	610.00
" "	Mastertone Company, Des Moines, Iowa	Microphones	480.20
" "	Mastertone Company, Des Moines, Iowa	Microphones	544.88
" "	TCR Distributors, Davenport, Iowa	Rack Panels	7.25
" "	TCR Distributors, Davenport, Iowa	Rack Panels	10.25
" "	TCR Distributors, Davenport, Iowa	Rack Panels	13.50
" "	TCR Distributors, Davenport, Iowa	Rack Panels	17.00
" "	TCR Distributors, Davenport, Iowa	Rack Panels	19.50
" "	TCR Distributors, Davenport, Iowa	Rack Panels	24.75
" "	Woodburn Sound, Iowa City, Iowa	Jack Panel	25.20
" "	Woodburn Sound, Iowa City, Iowa	Jack Panel	44.10
" "	Woodburn Sound, Iowa City, Iowa	Jack Panel	49.80
" "	Woodburn Sound, Iowa City, Iowa	Patch Cords	172.00
" "	Ealing Corp., Cam- bridge, Mass.	Pillars	64.00
" "	Ealing Corp., Cam- bridge, Mass.	Pillars	49.00

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
Music Building Equipment	Ealing Corp., Cam- bridge, Mass.	Mounts	164.00
" "	Mastertone Co., Des Moines, Iowa	Reel Holders	79.38
Basic Sciences Building Equipment	Drake Hardware, Burlington, Iowa	Bookshelf Standards	1,109.98
" "	Drake Hardware, Burlington, Iowa	Bookshelf Brackets	1,520.74
" "	Nagle Lumber, Iowa City, Iowa	Plywood	2,513.70
" "	Crescent Electric, Iowa City, Iowa	Cable & Outlets	973.50
" "	Burger Construction, Iowa City, Iowa	Bookshelf Units	4,438.00
" "	J.S. Latta & Son, Cedar Falls, Iowa	Costumers	1,905.62
" "	Metropolitan Supply Company, Cedar Rapids, Iowa	Lecterns	613.50
" "	Metropolitan Supply Company, Cedar Rapids, Iowa	Coat Hooks	15.00
" "	Metropolitan Supply Company, Cedar Rapids, Iowa	Shelving Unit	203.50
" "	J.S. Latta & Son, Cedar Falls, Iowa	Costumers	194.35
" "	Metropolitan Supply Company, Cedar Rapids, Iowa	Card File	99.80
" "	K & M Electronics, Minneapolis, Minnesota	TV Monitors	5,200.00
" "	Fairlane Electronics, Cedar Rapids, Iowa	Amplifiers	360.00

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
Basic Sciences Building Equipment	Cor-Plex International Corp., Chicago, Illinois	Sound Columns	\$ 418.95
" "	Willoughby Peerless Sales, New York, N.Y.	Projectors	1,446.75
" "	Willoughby Peerless Sales, New York, N.Y.	Projectors	2,053.80
" "	Willoughby Peerless Sales, New York, N.Y.	Projectors	1,687.50
" "	Triangle School Service, Sioux Falls, South Dakota	Projectors	1,800.00
" "	Triangle School Service, Sioux Falls, South Dakota	Projectors	371.20
" "	Triangle School Service, Sioux Falls, South Dakota	A-V Tables	433.50
" "	Triangle School Service, Sioux Falls, South Dakota	Proj. Screens	519.10
" "	Fairlane Electronics, Cedar Rapids, Iowa	Microphones/ Stands	200.40
" "	Cor-Plex International Corp., Chicago, Illinois	TV Projector	27,069.35
" "	East Moline Erectors, East Moline, Illinois	Lockers	1,983.20
" "	Airkem Sales of Iowa, Des Moines, Iowa	Scrubbers	3,569.60
" "	Five Flags Chemical, Burlington, Iowa	Scrubbing Machines	2,504.00
" "	Clark Sanitary, Des Moines, Iowa	Vacuum Machines	1,068.00
" "	Baker Paper, Cedar Rapids, Iowa	Vacuum Machine	169.96

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

<u>Project</u>	<u>Awardee</u>	<u>Type of Contract Item</u>	<u>Amount</u>
Basic Sciences Building Equipment	Industrial Chemical, Omaha, Nebraska	Vacuum Machine	\$ 95.00
" "	Paul Young, Line Lexington, Pa.	Laundry Carts	1,026.77
" "	John Wood Company, St. Paul, Minnesota	Paper Disposers	1,482.00
" "	Industrial Chemical, Omaha, Nebraska	Urns	1,615.00
" "	Baker Paper, Cedar Rapids, Iowa	Waste Baskets	708.71
" "	Baker Paper, Cedar Rapids, Iowa	Waste Recept.	211.60
" "	Baker Paper, Cedar Rapids, Iowa	Mop Buckets	235.20
" "	Industrial Chemical, Omaha, Nebraska	Mop Wringers	309.92
" "	Industrial Chemical, Omaha, Nebraska	Mop Handles	188.40
" "	Industrial Chemical, Omaha, Nebraska	Dust Pans	76.00
" "	Industrial Chemical, Omaha, Nebraska	Vac-A-Bulb	46.32
" "	E & I Cooperative, Chicago, Illinois	Brooms	105.60
" "	Baker Paper, Cedar Rapids, Iowa	Dispensers	607.20
" "	Baker Paper, Cedar Rapids, Iowa	Attachments	66.10
" "	Iowa State Industries, Ft. Madison, Iowa	Shelving Units	736.60

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

The following revised project budget was presented for approval:

GENERAL HOSPITAL - PEDIATRICS CLINIC ADDITION

	(8-71) <u>Preliminary</u>	(11-71) <u>Revised</u>
Planning & Supervision	\$(2,500) (1)	\$ (2,500) (1)
Equipment	(7,600) (2)	(7,600) (2)
Steel shell and erection	9,975	9,975
Concrete slab & retaining wall	8,000	24,972
Sewer relocation	7,500	6,232
Electrical construction	9,800	5,322
Plumbing	3,150	8,485
Other construction	37,208	47,875
Contingencies	<u>7,567</u>	<u>5,139</u>
	<u>\$83,200</u>	<u>\$108,000</u>

Source of funds: Building Usage Fund, Acct. Y985

- (1) Charged to Account D480, therefore not included in total
- (2) To be purchased from University Hospital Equipment Fund, therefore not included in total

The following new projects were presented for approval:

MEDICAL AMPHITHEATER REMODELING

PRELIMINARY BUDGET

General construction	\$ 21,000
Mechanical construction	2,500
Electrical construction	8,500
Floor covering and acoustical ceiling	6,400
Contingency	3,000
Planning and supervision	( 2,000) <sup>(1)</sup>
Equipment	<u>( 19,000)<sup>(2)</sup></u>
Total	<u>\$ 41,400</u>

Source of Funds: University Hospital RR & A

- (1) Charged to Account D480, therefore not included in total.
- (2) To be purchased from University Hospital 1971-72 Equipment Fund, therefore not included in total.

PROJECT DESCRIPTION

This project consists of remodeling the 186-seat Medical Amphitheater located on the third floor of the General Hospital into a modern conference facility.

Work to be accomplished consists of widening the seating tiers to provide more usable, comfortable seats, installation of electrical services for modern audio-visual teaching aides, installation of a lower ceiling to provide better acoustics, and replacement of floor covering and general redecorating.

The University Architect's office is designated as the architect and inspection supervisor.

INSTALL ADDITIONAL SECONDARY FEEDERS  
- NORTHWEST WING - EAST HALL

PRELIMINARY BUDGET

Engineering & supervision	\$ 2,000
Electrical materials	6,000
Electrical construction	9,000
General construction	3,000
Contingencies	<u>2,000</u>
Total	<u>\$22,000</u>

Source of funds: University RR & A

PROJECT DESCRIPTION

The project consists of installation of additional secondary electrical feeders, replacement of obsolete panels and renovation of the transformer room. New panels with adequate feeders will be installed on all floors (one through seven). Miscellaneous safety switches in the transformer room will be replaced by new dead front switchgear. Patching of plastering and painting necessitated by electrical installations will be done.

Since no part of the work is over \$10,000 and project coordination with the various departments is critical, it is proposed that the work be done by Physical Plant forces.

The Physical Plant department is selected as the engineer and inspection supervisor.

A public hearing will be held on the project.

THORACIC AND NEUROSURGERY OFFICE-CLINIC SUITE REMODELING

PRELIMINARY BUDGET

General construction	\$ 9,650
Plumbing construction	3,000
Mechanical construction	7,500
Electrical construction	9,500
Acoustical ceilings	6,000
Floor covering and painting	7,900
Materials (supplied by owned):	
Mechanical	7,250
Electrical	3,000
Modular Partition System	3,200
Planning and supervision	<u>( 4,000)</u> <sup>(1)</sup>
Total	<u>\$57,000</u>

Source of Funds: University Hospital RR & A

<sup>(1)</sup>Charged to Account D480, therefore not included in total

PROJECT DESCRIPTION

This project consists of remodeling the Thoracic and Neurosurgery Office Suite, an area of approximately 5,000 gross square feet of space located on the fifth floor Tower of the General Hospital. It will provide two additional faculty offices, a conference unit, two new offices for house staff physicians, an enlarged waiting room and renovation of the entire office-clinic suite.

Work to be accomplished consists of relocating partitions and doorways, installation of new plumbing lines, upgrading of electrical services and lighting, replacement of the air handling system, new floor covering and installation of acoustical ceilings and painting.

The construction categories set forth in the above budget represent each of the various construction elements which will of necessity have to be rigidly scheduled and coordinated by University Hospital personnel during a phased construction process so as to permit

continuing operation of clinical functions during the entire period of remodeling. To accomplish this will require that each construction category be handled separately and in a time sequence through the process of competitive quotations and purchase orders or by the Physical Plant forces or by a combination of these. As indicated in the above budget no purchase order or work order will exceed \$10,000.

The University Architect's office is designated as the architect and inspection supervisor.

A public hearing on the project will be held.

MOTION:

Mrs. Petersen moved the Register of Capital Improvement Business Transactions for the period October 4 through October 29, 1971, be approved; the contracts shown above be awarded; the revised budget and new projects shown above be approved; the Executive Secretary be authorized to sign the necessary documents. The motion was seconded by Mr. Perrin, and passed unanimously.

FARM LEASES. The Merchants National Bank, agent for the Board in management of SUI farm properties and the University recommended Board approval of the farm lease renewals summarized below for the period March 1, 1972, to March 1, 1973:

HAWKEYE AREA FARMS

1- Kessler and McGinnis Farms

Lessee: Donald Clausen and Shirley Clausen

Terms: \$7,209.00 cash rent payable in equal instalments on September 1, 1972 and December 1, 1972. Lessee is to pay all costs of farm operations and keep the premises in proper repair. The University reserves the right to take possession of any portion of the farms by giving 30 days written notice, should it become necessary to use the property for some other purpose.

Property - Gross Area		527 Acres
Less: Hawkeye Apartment Area	111	
Building, Yards, Timber		
and Waste Land	<u>182</u>	<u>293</u>
Net tillable land of which 190 crop		
acres are scheduled for row crop and		
44 acres are oats or hay		<u>234</u> Acres

The machine shed is included in the lease. All other buildings are excluded.

Note: This is approximately the same as previous lease with the the same lessee. There is a reduction of 27 acres of tillable land which will be withdrawn from farm production with a corresponding reduction in the rental.

2- Miller Farm (24 acres)

Custom Work - Land will be farmed on a custom basis with no lease, under the direct management of Merchants National Bank as agent. Payment for this custom work will be based upon the customary rate as determined by Merchants National Bank.

Note: This is the same arrangement as was used the previous year.

3- Hog Buying Facility (including scales and sheds)

Lessee: Joe L. Miller

Terms: \$600 due in one instalment on 11-1-72.

Note: This is identical with previous lease with the same lessee.

OAKDALE AREA FARM

Lessee: Terry William Sass  
Terms: \$7,244.00 cash rent payable in equal installments on September 1, 1972, and December 1, 1972. Lessee is to pay all costs of farm operations and keep the premises in proper condition. The University reserves the right to take possession of any portion of the farms by giving 30 days written notice, should it become necessary to use the property for some other purpose.

Property: Gross Area	500 Acres
Less area reserved for College of Medicine	<u>160</u>
Net	340
Permanent Pasture	<u>100</u>
Tillable Land (60% to be row-cropped)	<u>240</u> Acres

All buildings are excluded from the lease.

Note: This lease is the same as the previous lease with the same lessee.

A Board member expressed an interest in seeing a report on whether the custom work involved in the Miller farm was giving a good return. Another member commented on the low rental rate. Vice President Jolliffe reported that since the Merchants National Bank was employed as agent for these rental properties (in 1967) there was a substantial increase in rental from what the University had been getting. For the land involved, he felt the return was good.

MOTION: Mr. Perrin moved the Board approve the farm lease renewals as set out above. The motion was seconded by Mrs. Collison. On roll call, the vote was as follows:  
AYE: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Redeker, Shaw  
NAY: None.  
ABSENT: Wallace.  
The motion carried.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the State University of Iowa for the month of October 1971 were approved.

LEAVE OF ABSENCE. The Board approved a leave of absence without salary for John R. Schmidhauser, Professor of Political Science, effective January 23, 1972, at his request, so that he might pursue the Democratic nomination for Congressman in the First District of Iowa.

APPOINTMENTS. The Board approved the following appointments:

John W. Colloton, Associate Director of University Hospital, State University of Iowa, to Director of University Hospitals and Assistant Vice-Provost for Health Affairs, effective immediately.

Miss Etta Rasmussen to Acting Dean, College of Nursing, State University of Iowa, from February 1, 1972, to August 31, 1972, or earlier if a new Dean can take office.

Vice Provost Hardin pointed out that the position of Assistant Vice Provost for Health Affairs was a new position and that Mr. Colloton would be the first holder of this position.

SUMMER SESSION. The Board reviewed and accepted a report by Director George A. Chambers on the 1971 Summer Session. This report is on file in the Board Office. The Board commended Mr. Chambers for inclusion of the comprehensive and readable cost data in the report and noted that such data was most helpful to the Board.

CATALOG CHANGES. The University presented a summary of proposed changes in course offerings for the 1972-74 General University Catalog. It was noted that due to the change to a biennial rather than an annual catalog, the curricular changes reported at this time cover a period of 18 months rather than a single year as has been the previous practice.

MOTION:

Mr. Perrin moved the catalog changes as presented by the University of Iowa be referred to the Interinstitutional Committee on Educational Coordination. The motion was seconded by Mrs. Petersen. In the absence of objection, President Redeker declared the motion carried.

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

RESOLUTION OF APPRECIATION Mrs. Petersen moved the adoption of the following resolution of appreciation to Mr. and Mrs. Roy J. Carver of Muscatine, Iowa, whose generous gift to the University of Iowa had been announced to the public just that week. The motion was seconded by Mrs. Collison, and was unanimously approved.

RESOLUTION

WHEREAS, the Iowa Board of Regents is deeply committed to quality education, and

WHEREAS, this endowment of academic aid without specific allocations set out will help the University of Iowa in a variety of ways, such as provide for the continuance of quality education to the students, offer encouragement to the faculty and staff, aid in the restoration of historic Old Capitol, provide furnishings for the Hancher Auditorium, support the planning model of the Environmental Health Center, to be located in Muscatine, and

WHEREAS, the contribution to students, faculty and staff of the University of Iowa is indeed great, it represents also a considerable contribution toward the enrichment of the lives of the Citizens of the State of Iowa. Such a gift indicates a strong confidence not only in the University of Iowa and in the Regent system, but in higher education in general.

THEREFORE, the Iowa Board of Regents expresses deep appreciation to Mr. and Mrs Roy J. Carver for their considerate generosity.

Corrected page

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

STEPHEN FORD - IMPOUNDED SALARY, AAUP PRESENTATION. During a protest demonstration against the University's R.O.T.C. program, early in May 1970, the University's recreation building was broken and entered by a group of people of which Associate Professor Stephen Ford allegedly was a part. A door of the building was broken, the lock and closing mechanism damaged. Mr. Ford was charged with malicious injury to the building, a felony, in violation of Chapter 714.1, Code of Iowa. He pleaded not guilty, was tried by a jury of 12 citizens of Johnson County who reached a unanimous verdict of guilty. At the direction of Attorney General Turner, three times the amount of the damage to the door (\$180) was withheld from Mr. Ford's last salary check. Later, Mr. Ford's conviction for malicious injury was set aside by the judges of the Johnson County District Court because it was discovered the jury panel had been drawn improperly. Meantime, without knowledge or consent of the State, the county attorney reduced the charge against Mr. Ford from malicious injury to disturbing the peace in violation of Chapt. 744.1, Code of Iowa, to which he plead guilty and paid a \$100.00 fine.

Because the breach of peace provision to which he plead guilty does not call for triple damages, Mr. Ford filed suit seeking a writ of mandamus to compel the University to pay him the balance of his salary (\$180) withheld. Under Iowa's sovereign immunity doctrine, a trial court dismissed Mr. Ford's suit against the University for the return of the money. Mr. Ford has not appealed this action yet. He is no longer in Iowa and is believed to be a student at the University of California, Berkeley.

The A.A.U.P., through Professor John Huntley, president, and Professor

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

Eric Bergsten from the Law School, who were present at the meeting, sought the return of the \$180 to Mr. Ford without a hearing. The money was not the issue with the AAUP; rather it was a matter of principle. Because Mr. Ford typifies the class whose professional, economic and legal rights are espoused by the AAUP, they were asking the Board to make a commitment as to the sanctity of faculty contracts with the Board. They contended since the \$180 withholding did not relate to Mr. Ford's performance as a professor, the money which represented salary should be returned to Mr. Ford without a hearing (which would be impractical due to Mr. Ford's and some of his witnesses' absence from the state). Then, should Mr. Ford's guilt of malicious injury be established, a lawsuit with Mr. Ford would be in order.

A statement of the AAUP (U. of I. Chapter) dated November 1, 1971, had been issued to all Board members as well as the Attorney General.

The Board had also received President Boyd's statement of October 4, 1971, which read, in part --

"Anything that threatens the legal integrity of the University's contractual relationship with its faculty, staff, and student employees can only operate to create debilitating uncertainties within the University community to the detriment of the educational goals we seek. The Iowa doctrine of sovereign immunity - whereby the University as a state agency may not be sued in a contract action to obtain money from it - threatens to create such uncertainties by casting serious doubt on the effective enforceability of employment contracts at the University.

"To assure the effectiveness of contractual arrangement at the University, I am asking a committee to study the problem and to make recommendations for the establishment of internal procedures to assure that all persons employed by the University - faculty members, staff members, administrative employees, and student employees - have confidence that their contractual rights will be enforced... The Committee's recommendations will be forwarded to the Faculty Senate, Staff Council, Student Senate, and

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

appropriate administrative officers for comment. Comments from each of the groups will be taken into account and a recommended procedure will... it is hoped... be ready for presentation to the Board (for consideration) at its January meeting.

"Before the new policy becomes effective, it will be necessary to deal with a case now pending involving Mr. Stephen D. Ford, a former University faculty member. An effort must be made to provide due process to Mr. Ford. To this end, if Mr. Ford or the person to whom he may have assigned his claim against the University requests it, Mr. Ronald L. Carlson of the Law Faculty will be designated as a Hearing Officer to determine whether the University owes Mr. Ford or his assignee all the funds or a portion of the funds the University withheld from Mr. Ford's May 1970 salary check. Mr. Carlson will determine the procedures to be followed in the hearing and will make recommendations to the President.

"To clarify the reasons for the appointment of a Hearing Officer to make a recommendation concerning Mr. Ford's claim against the University, the following report by Mr. David H. Vernon of the Law Faculty is appended:

"Background: ... in view of the fact that Mr. Ford had resigned from the faculty and had indicated his intention to leave the State, the action ordered by the Attorney General (withhold \$180 from Mr. Ford's salary check to cover his possible liability under the treble damage provisions of Chapt. 714.1) was not unreasonable. Since that time, however, the situation has changed substantially and a serious question exists concerning the propriety of the University continuing to assert a right to treble damages and continuing to retain the \$180.

"... The breach of peace provision under which Mr. Ford was convicted does not call for treble damages. Constitutional prohibitions against double jeopardy appear to operate to prevent any further action against Mr. Ford under Chapt. 714.1.... the sole basis for a claim for treble damages by the University.

"Two other matters further complicate the situation. The first is Iowa's unusual rule of sovereign immunity... The second is a due process question raised by *Sniadach v. Family Finance Corp.* 395 U.S. 337 (1969). Under Iowa's concept of the sovereign immunity doctrine, a trial court dismissed Mr. Ford's suit against the University for the return of the money without affording him a hearing on the merits. Thus, the University is withholding \$180 on a treble damage theory and Mr. Ford is unable to obtain a judicial determination on the merits of the University's action.

"In *Sniadach*, a prejudgment garnishment of wages without prior hearing was held to violate the Due Process Clause of the 14th Amendment. The Court's main objection to the procedure was the

fact that the wage earner was deprived of the use of his wages 'without any opportunity to be heard and to tender any defense he may have...' p. 339. The fact that the employee (ultimately) was to be accorded a hearing was deemed to be inadequate to protect his rights. In some ways, Mr. Ford's case goes beyond Sniadach in that in addition to the funds being withheld without a hearing, Mr. Ford, because of the sovereign immunity doctrine was unable to get a judicial hearing after the fact. Although set-off and not garnishment is present in the Ford matter, the problems raised are similar.

"... As originally presented - the resignation, the intention to leave the State, and the information charging violation of Chapt. 714.1 - the Ford case probably presented extraordinary circumstances justifying the action taken in withholding the \$180. After the charge against him was reduced, however, so that treble damages no longer were potentially assessable and after it became clear that a judicial hearing was not possible, the University's action in continuing to withhold the funds would seem to constitute a denial of due process. Some method should be developed to provide Mr. Ford a hearing.

"Recommendations: I urge that the University attempt to make arrangements to provide a hearing for Mr. Ford so that an impartial determination can be made concerning his rights, if any, to the money now held by the University.

"The quickest, most effective method for providing such a hearing would be to appoint a member of the Law Faculty as hearing officer. In the alternative, a panel of three Law Faculty members could perform this task. If such an internal hearing cannot be arranged, two other procedures may be available. The first would involve the University returning the money to Mr. Ford on the understanding that the University would file suit against him for the damages caused to the door, or perhaps for the treble damages if the Attorney General feels that the treble damage provision of Chapt. 714.1 remains applicable. Another method would be for the University to file suit for the declaratory judgment, asking the Court to determine the issue. Mr. Ford is demanding the money and the Attorney General is directing the University to retain the money. The theory of the declaratory judgment action would be to ask the Court to determine whether the Attorney General or Mr. Ford is right. If we provide a judicial determination, the expenses would be substantially higher and the time period substantially longer than if we provide an internal hearing. The decision as to whether to litigate and the conduct of the litigation are by law the responsibility of the Attorney General."

Attorney General Turner, who was not able to attend this meeting, had set forth his views by letter addressed to the Executive Secretary as to the facts and the law applicable in this matter. If the Board

were not convinced they should take no action in Mr. Ford's case, the Attorney General requested he be given adequate notice and an opportunity to be heard at a later date. His views were:

#### THE LAW

The Board should first consider the report of Professor David H. Vernon of the College of Law, attached to President Boyd's statement of October 4, 1971, herewith enclosed, because it raises and considers the legal issues involved in the present status of the claim. And it is only after a careful consideration of Professor Vernon's views as expressed therein and to me personally at an earlier meeting, that I set forth my views.

First, Professor Vernon does not mention the remedy already open to Mr. Ford under Chapter 25 or Chapter 25A of the Code. He does cite Megee v. Barnes, 1968 Iowa, 160 N.W.2d 815, a case in which the University discharged Mary Megee, a research associate in the College of Business Administration, "as a result of her failure to function cooperatively and effectively with the director and staff of the Bureau of Business and Economic Research", and refused to pay the balance of her salary promised under the University's written contract. The Court held that her action was "in reality against the State, rather than the two nominal defendants, to compel payment of her claim from State funds" and that the State was immune from suit without its consent. Nevertheless, the Court pointed out at page 820 of 160 N.W.2d:

"We may observe our decision does not leave plaintiff without a remedy. Code chapter 25 provides for consideration by the state appeal board of claims against the state 'on which in

the judgment of the comptroller the state would be liable except for the fact of its sovereignty' (section 25.1) and the recommendation of the board to the claims committee of the house and senate as to payment of the claims.

"We have pointed out the legislature is in control of state funds, in that sense is the keeper of the states' conscience and presumably will honor claims against the state that are just. Hollingshead Co. v. Board of Control, supra, 196 Iowa 841, 843, 195 N.W. 577. See also Lynch v. United States, supra, 292 U.S. 571, 580-581, 54 S.Ct. 840, 78 L.Ed. 1434, 1441; Perry v. United States, supra, 294 U.S. 330, 354, 55 S.Ct. 432, 79 L.Ed. 912, 919.

"In view of what is said as to chapter 25, it should be noted the Iowa Tort Claims Act, passed by the 61st General Assembly, now Code chapter 25A, provides for filing, passing upon and paying claims against the state for money only, on account of damage to or loss of property or for personal injury or death by the negligent or wrongful act or omission of any state employee while acting within the scope of his employment. This act waives immunity of the state as to the class of claims for which it provides redress but has no application to such claims as this. See Graham v. Worthington, supra, 259 Iowa 845, 855, 857, 146 N.W.2d 626, 633, 634; Article by Don R. Bennett in 17 Drake Law Rev. 189."

The point is that Mr. Ford is not without a remedy. He can make his claim to the State Appeal Board. Moreover, if an employee sues State officials in their individual capacities and alleges and can prove that the officials have acted maliciously, the officials are not necessarily immune to a suit in District Court and could be liable for both compensatory and punitive damages. Marquart v. Maucker, 1971 Iowa, 184 N.W.2d 684. The fact that these suggested remedies are too distasteful, too expensive or too big a nuisance for Mr. Ford to pursue, as the A.A.U.P. seems to argue toward the bottom of the second page of their report, is irrelevant. He has a remedy and there is no necessity for an ad hoc, extrajudicial committee or hearing officer. Any findings or decisions made by such would be of no binding force or effect. The University is a creature of the Constitution and laws of Iowa and has no power to do anything except that which is expressly authorized or fairly implied by the Constitution and laws. It cannot expend State funds in absence of an appropriation by law. Article III, §24, Constitution of Iowa. It cannot bite the hand of its creator by disregarding, circumventing or attacking the statutory remedies its creator has provided. Lincoln Township School District v. Redfield Consolidated School District, 1939, 226 Iowa 298, 283 N.W. 881. And I respectfully suggest that the Board of Regents is in no different situation than the University in this regard.

Second, while Professor Vernon is correct when he says that §714.1 is the sole basis for the State's claim for treble damages, he is wrong in assuming it is necessary for the State to prove Mr. Ford guilty of the crime in order to recover such damages. The statute requires neither conviction nor establishment of guilt in a technical legal sense. It does not say "whoever is convicted"

or "whoever is guilty" of malicious injury to a building or fixture attached thereto but rather that if a person maliciously injure he is liable. Thus, it is irrelevant that the malicious destruction is also a crime and that Mr. Ford has not actually been convicted. He is liable if he maliciously injured the door or aided and abetted others in so doing, and, if we did not already have his \$180.00, we could sue him civilly and prove our case by a mere preponderance of the evidence. It would not be necessary to prove him guilty beyond a reasonable doubt. Norman R. Gravin, Inc. v. Ford Motor Co., 1958, 163 F.Supp. 42, 24 B.C.J.S. 714, Criminal Law §2007. And compare Da Costa v. Rose, 1944 70 R.I. 163, 37 A.2d 794, where the statute by its specific terms required establishment of guilt as requisite to the recovery of multiple damages.

Third, we are not, as Professor Vernon believes on the basis of Waller v. Florida, 1970, 90 S.Ct. 1184, barred by double jeopardy from prosecuting Mr. Ford again for malicious injury. The Waller case held that a defendant convicted in municipal court for destruction of property and breach of peace in violation of city ordinances could not be tried by the state on the charge of larceny based on the same acts involved in the violations of the city ordinances and assuming, without deciding, that the city ordinance violations were included offenses of larceny. Clearly, the trial court was in error on that narrow ground and the U.S. Supreme Court properly reversed. The state is barred by conviction of included offenses, whether they be convictions under city or state government. But it is interesting that the court barred only the conviction for larceny. It did not hold that the defendant could not be convicted of both destruction of property and breach of the peace, as he was. The applicable double jeopardy rules found in State v. Cook, 1968, 261 Iowa 1341, 158 N.W.2d 26, are still in accord with the decisions of the United States Supreme Court. Thus, Mr. Ford's conviction for disturbing the peace under §744.1 does not bar a subsequent conviction for malicious injury. The former is not an included offense of the latter; the two offenses are not in substance the same or of the same nature or species, nor does evidence which proves the one necessarily prove the other. No essential elements of disturbing the peace are necessarily present in malicious destruction. Each provision requires proof of a fact the other does not. The same evidence is not required to sustain both. At most, if we prosecute Mr. Ford again under §714.1, he might be entitled to recover the \$100.00 fine he paid for disturbing the peace on the theory that his guilty plea was induced either by an express promise of the county attorney at the time of a plea bargain, or that such a promise was implied by reduction of the charge. But I do not consider the former county attorney's reduction of the charge, on his last day in office, as binding upon the State so as to prevent Mr. Ford from being prosecuted again.

The same logic in the Cook case, and in the authorities cited therein, which sustains the State's right to prosecute Mr. Ford for malicious injury, also appears to sustain the State's right to prosecute him for breaking and entering, assuming we could prove he intended to commit a public offense while in the building and that offense was not an included offense of breaking and entering. In my opinion, disturbing the peace is not an included offense of breaking and entering. And the fact that he pleaded guilty to disturbing the peace might well be some evidence that he intended to commit that offense while therein.

Fourth, it should not be assumed that Professor Ron Carlson of the College of Law could, as hearing officer, more fairly arrive at the truth than a jury of twelve good people of Johnson County which, in a technical sense, was not legally constituted because Mr. Ford had no opportunity to draw a professor or student on his jury. So, for the purpose of determining whether Mr. Ford should pay treble damages, it seems to me that Mr. Ford has had his hearing. I doubt that a faculty member hearing the case alone and without the help of non-faculty and non-students would arrive at any fairer verdict. Probably he would find Mr. Ford liable unless he adhered to the belief that malicious destruction and breaking and entering are justified if cloaked in the garb of free speech and protest. At any rate, I assume the A.A.U.P. is composed entirely of professors and faculty members and, for that reason alone, its recommendations are entitled to no more credibility than the verdict of the illegal jury, which latter at least heard the evidence.

Fifth, Professor Vernon says a due process question is raised by Sniadach v. Family Finance Corp., 1969, 395 U.S. 337, wherein he says a prejudgment garnishment of wages without prior hearing was held to violate the due process clause of the Fourteenth Amendment. Obviously, there is a substantial difference between a debtor's withholding payment of a debt like wages, even wrongfully, and a taking of a person's property in the hands of a third party by garnishment, as was done in Sniadach. In Mr. Ford's case, the State was a debtor owing wages to Mr. Ford, but was also a creditor because Mr. Ford owed the State treble damages under §714.1. The State merely set off to itself that which it had coming by law from the wages it owed Mr. Ford and paid him the rest of those wages. Even if the State had wrongfully denied him all of those wages, there would be no constitutionally recognized taking as there was in Sniadach. Set-offs and counterclaims have always been recognized as permissible and, indeed, can be compulsory in the sense that if not raised in an action or settlement they can be forever barred. See Rules 29 and 30, Iowa Rules of Civil Procedure Annotated, and authorities cited therein and Brown v. Hughes, 1959, 251 Iowa 444, 99 N.W.2d 305. Thus, it is unthinkable that the State should pay the \$180.00 to Mr. Ford and then file suit against him as Professor Vernon suggests. As I understand it, Mr. Ford resigned immediately

following his act of malicious injury and is now a student at the University of California. How would we get in personum jurisdiction unless we could personally serve him with an original notice in Iowa? And why sue him when we have his money? It would make more sense to gamble with him for it, double or nothing.

Finally, I simply do not understand why the A.A.U.P. is so anxious to act on Mr. Ford's behalf but expressed no similar concern for Mary Megee when she was discharged as a research associate in the College of Business Administration "as a result of her failure to function cooperatively and effectively". She destroyed no University property. Is the A.A.U.P. discriminating against her on account of her sex? Or is it discriminating between failure to cooperate with the Bureau of Business and Economic Research and failure to cooperate with the Department of R.O.T.C.? She got no hearing either, although of course the Supreme Court specifically pointed out and suggested her remedy. From all appearances, it seems that the A.A.U.P. believes male college professors and faculty members are not bound by the same rules which apply to the rest of us and are entitled to rights and remedies which no one else has. I have heard no hue and cry to the Board of Regents from the A.A.U.P. against the obscenities, force, violence and destruction of property used on campus by protestors during their mob demonstrations. I should think the A.A.U.P. would be equally as concerned for the rights of the people, in their property, which they bought, own and maintain, like the door of the recreation building and the furniture and fixtures destroyed in President Boyd's office, as they are for Mr. Ford's property right in his \$180.00. After all, the taxpayers usually raise their salaries every year and should have some support from the A.A.U.P. once in a while. When was the last time the A.A.U.P. approached the Board of Regents on behalf of the people of Iowa? It appears to me that the only purpose of the association is purely selfish: to protect and promote the interests of its members. I hope the Board will see that my interest in the matter is not selfish; that it is simply to protect our taxpayers.

One thing the A.A.U.P. does properly point out is that "passions ran high during May in 1970 among the citizens of Iowa City and the State". Indeed, on May 14, 1970, I wrote the Board of Regents an eight-page letter, a copy of which is also herewith enclosed, about inquiries and complaints I had received concerning activities at our State Universities. I asked therein "When do college and university officials ever act? What rules and regulations do they have concerning these matters? When, for example, was the last student at a State University disciplined or expelled under the procedures by which you are seemingly bound? How many times has expulsion been the penalty for a student's violence? How many teachers or professors have been sanctioned or

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

fired for encouraging volatile and immature radicals or deserting their classrooms during their activities?" I listed many things which had happened and which had indicated the failure of the University officials to cooperate with law enforcement. I don't blame the Board for not answering my letter and, indeed, I am convinced it was unanswerable. But whatever slight deterrent or "chilling" effect upon others bent upon violent protest and destruction this treble damage action will have is good.

Prior to Board discussion on this matter, President Boyd stated the following:

"Consistent with my policy of reporting to the Regents on differences of opinion on the campus... I wish to report that a difference of legal opinion exists between The University of Iowa Chapter of the AAUP and me. A difference of legal opinion also exists between the Attorney General and me. The legal issues involved are complex and difficult and I believe should be the only issues before the Board today.... I am bound in my personal conscience to express my strong disagreement with Mr. Turner's statements concerning the motives of The University of Iowa Chapter of the AAUP. I am proud to be associated with the members of the AAUP Chapter, and I know them to be dedicated individuals who are striving to assure that the University honor its contract commitments to its employees and who seek only to advance the University for the benefit of all Iowans."

Professor Vernon of the College of Law was present at this meeting to present President Boyd's viewpoint. Extensive discussion followed. Some members were in disagreement with sovereign immunity over which they had no control, because of the danger of inequities. There were those who agreed the sanctity of a contract should be upheld as in the working contract of the associate professor. Several felt inclined to follow the advice of the Attorney General

Corrected page

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

since he was the legal advisor of the Board; if his advice was not heeded, they felt he should be given an opportunity to be heard as he requested. Most were in general agreement with the internal hearing procedure as proposed by President Boyd. There was uncertainty, however, regarding disposal of the matter after the hearing. President Boyd stated he established the hearing procedure by virtue of his authority as president of the institution and was ready, under the same authority, to dispose of the matter as directed by the findings of the hearing, without involving the Board. Finally, the University expressed the view that the appeal board route should not be followed because, under that procedure the Attorney General acts as investigating officer and makes recommendation to the appeal board.

MOTION: Mr. Shaw moved the Board direct the University of Iowa to return to Mr. Ford \$120, provided the Attorney General concurs in this action; and if the Attorney General does not concur, the Board accept his offer to appear before the Board. This motion was seconded by Mr. Bailey. On roll call, the vote on Mr. Shaw's motion was as follows:  
AYE: McCartney, Perrin, Shaw.  
NAY: Baldrige, Bailey, Collison, Petersen, Redeker.  
ABSENT: Wallace.  
The motion lost.

This motion was opposed by President Boyd who felt strongly about providing adequate due process. He did not want to assume that guilt was pre-determined. He pointed out he had previously advised the Attorney General of his proposed action with regard to the hearing process.

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

SUBSTITUTE MOTION: Mr. Perrin moved the Board accept the advice of its attorney, the Attorney General, in the matter concerning Mr. Ford which has been discussed above.

From Mr. Perrin's motion it was assumed that there would be no action taken whatsoever, if it passed. Another assumption was that if the hearing would proceed and other developments occur, the Attorney General would be apprised of the conclusion and asked for a new position.

Mr. Perrin's motion died for lack of a second.

It was pointed out that if the Board took no action at all on the matter the University president would be free to go ahead with the procedure he indicated and was already committed to, and this would free the Board of any disagreement with the Attorney General; disagreement would be between the President and the Attorney General.

MOTION: Mrs. Petersen moved the Board approve the principle of on-campus hearings on such matters of the establishment of fair internal procedures for determining the effectiveness of university employment contracts. The motion was seconded by Mrs. Collison. On roll call, the vote was as follows:  
AYE: Bailey, Baldrige, Collison, McCartney  
Perrin, Petersen, Redeker, Shaw.  
NAY: None.  
ABSENT: Wallace.  
The motion carried.

President Boyd stated that he already had initiated activity along this line;

with consultation of the employee constituencies at the university, a university committee has been appointed to develop guidelines. The matter will be brought before the Board for approval.

Mr. Perrin took the chair for approximately 15 minutes during Mr. Redeker's temporary absence from the meeting.

As discussion continued there was some misunderstanding as to the intent of Mr. Shaw's earlier motion with regard to the hearing procedure activity proposed by President Boyd.

MOTION: Mr. McCartney moved the Board reconsider the motion of Mr. Shaw, as restated below. Mr. Perrin seconded this motion with the understanding it would withhold any action by the University. On roll call, the vote was as follows:  
AYE: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Redeker, Shaw.  
NAY: None.  
ABSENT: Wallace.  
The motion carried.

MOTION: Mr. Shaw moved the Board direct the University of Iowa to return \$120 to Mr. Ford, provided the Attorney General concurs in this action; and if the Attorney General does not concur in this action, the Board accept his offer to appear before it at a later date; also, pending determination of the Attorney General's action, further consideration of the Ford matter by the Board and the University of Iowa be held in abeyance and if the Attorney General does not concur, the matter be held in abeyance until it is brought before the Board. Mr. McCarthy seconded this restated motion by Mr. Shaw. On roll call, the vote was as follows:  
AYE: McCartney, Perrin, Shaw.  
NAY: Baldrige, Bailey, Collison, Petersen, Redeker  
ABSENT: Wallace.  
The motion failed.

with consultation of the other institutions, a university committee has been appointed to develop guidelines. The matter will be brought before the Board for approval.

Mr. Perrin took the chair for approximately 15 minutes during Mr. Redeker's temporary absence from the meeting.

As discussion continued there was some misunderstanding as to the intent of Mr. Shaw's earlier motion with regard to the hearing procedure activity proposed by President Boyd.

MOTION: Mr. McCartney moved the Board reconsider the motion of Mr. Shaw, as restated below. Mr. Perrin seconded this motion with the understanding it would withhold any action by the University. On roll call, the vote was as follows:  
AYE: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Redeker, Shaw.  
NAY: None.  
ABSENT: Wallace.  
The motion carried.

MOTION: Mr. Shaw moved the Board direct the University of Iowa to return \$120 to Mr. Ford, provided the Attorney General concurs in this action; and if the Attorney General does not concur in this action, the Board accept his offer to appear before it at a later date; also, pending determination of the Attorney General's action, further consideration of the Ford matter by the Board and the University of Iowa be held in abeyance and if the Attorney General does not concur, the matter be held in abeyance until it is brought before the Board. Mr. McCarthy seconded this restated motion by Mr. Shaw. On roll call, the vote was as follows:  
AYE: McCartney, Perrin, Shaw.  
NAY: Baldrige, Bailey, Collison, Petersen, Redeker  
ABSENT: Wallace.  
The motion failed.

STATE UNIVERSITY OF IOWA  
November 11-12, 1971

MOTION:

Mr. Bailey moved the Board direct the University to return the \$120 to Mr. Ford provided the Attorney General concurs, and if he does not concur the offer of the Attorney General to appear before the Board at a later date be accepted; and that pending determination of action by the Attorney General, any action by the University be held in abeyance; and if the Attorney General does not concur the University may proceed to hold a hearing but would not be permitted to take final action to settle the case. The motion was seconded by Mrs. Petersen. On roll call the vote was as follows:

AYE: Bailey, Baldrige, McCartney, Petersen,  
Perrin.

NAY: Collison, Redeker, Shaw.

ABSENT: Wallace.

The motion carried.

IOWA STATE UNIVERSITY

The following business pertaining to Iowa State University was transacted on Thursday, November 11, 1971.

ACADEMIC REVENUE BONDS - SALE OF BONDS. President Redeker called the meeting to order at 11:00 a.m., Central Standard Time, November 11, 1971, and the roll being called, there were present Stanley F. Redeker, President, in the chair, and the following Board members: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Shaw. Absent: Wallace.

This being the time and place fixed by published notice, the Board took up for consideration the matter of bids for the purchase of \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, of said Board.

President Redeker requested the filing of all sealed bids. He asked if there were any other sealed bids. He made a second, and then a third and final call for sealed bids. He then announced the closing of receipt of sealed bids.

Sealed bids for the purchase of the bonds were opened by Mr. R. Wayne Richey, Executive Secretary of the Board of Regents, and read by Mr. Paul D. Speer, President, Paul D. Speer & Associates, Inc., municipal finance consultants. Mr. Speer stated that the bids should be calculated prior to award. President Redeker directed Mr. Speer and Mr. Robert G. McMurray, Assistant to the Executive Secretary, to proceed with the calculation.

A complete list of the bids by managers is as follows:

<u>Bidder</u>	<u>Net Interest Rate</u>
John Nuveen & Co. (Inc.) & Associates	4.6800%
Blyth & Co., Inc. & Associates	4.6911
Merrill, Lynch, Pierce, Fenner & Smith, Inc. & Associates	4.82647
United California Bank & Associates	4.8352
Halsey, Stuart & Co., Inc. & Associates	4.8443
The Northern Trust Company & Associates	4.86749
The First Boston Corporation & Associates	4.8956
Loewi & Co., Inc. and F. S. Smithers & Co.	4.935

Mr. Speer reported that the bid of John Nuveen & Co. (Inc.) & Associates at a net interest rate of 4.6800% was the best bid and in the interest of the Board and he recommended that it be accepted.

RESOLUTION PROVIDING FOR THE SALE AND AWARD OF \$2,445,000 ACADEMIC BUILDING REVENUE BONDS, SERIES I.S.U. 1971A. After all sealed bids had been opened, the results thereof were incorporated in a resolution entitled "Resolution providing for the sale and award of \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, and approving and authorizing the agreement of such sale and award," which was introduced and caused to be read.

MOTION: Member Petersen moved that said resolution be adopted, seconded by Member Bailey, and the roll being called the following voted:  
AYE: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Shaw, Redeker  
NAY: None  
ABSENT: Wallace  
Whereupon the President declared said resolution duly adopted and signed his approval thereto.

RESOLUTION providing for the sale and award of \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, and approving and authorizing the agreement of such sale and award.

\* \* \* \*

WHEREAS notice of sale of \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, of the State Board of Regents of the State of Iowa, has heretofore been given in strict compliance with the provisions of Chapter 262A of the Code of Iowa, 1971, by publication of notice at least once not less than seven (7) days prior to this date of sale in a newspaper published in the City of Des Moines, Iowa, and having a general circulation throughout the State of Iowa; and

WHEREAS at a duly convened meeting of the State Board of Regents of the State of Iowa on October 15, 1971, this Board adopted a resolution entitled "A Resolution authorizing and providing for the issuance and securing the payment of \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, for the purpose of defraying the cost of constructing and equipping, improving and remodeling certain buildings on the campus of the Iowa State University of Science and Technology", and under the terms of said resolution it was provided that the bonds and coupons could, at the option of the holder, be presented for payment at alternate paying agent banks or trust companies in the City of Chicago, Illinois, and in the City of New York, New York, having a combined capital and surplus of not less than \$10,000,000, as agreed upon between the Board and the purchaser of the bonds; and

WHEREAS all sealed bids which have been received have been opened, the substance of the best sealed bid being as follows: the bid submitted by John Nuveen & Co. (Inc.) & Associates consisting of par and accrued interest plus a premium of \$ None, with the bonds to bear interest at the following rates:

<u>Year of Maturity</u>	<u>Rate</u>	<u>Year of Maturity</u>	<u>Rate</u>
1973	<u>5.00 %</u>	1983	<u>4.70 %</u>
1974	<u>5.00 %</u>	1984	<u>4.70 %</u>
1975	<u>5.00 %</u>	1985	<u>4.70 %</u>
1976	<u>5.00 %</u>	1986	<u>4.70 %</u>
1977	<u>5.00 %</u>	1987	<u>5.00 %</u>
1978	<u>5.00 %</u>	1988	<u>5.00 %</u>
1979	<u>5.00 %</u>	1989	<u>5.00 %</u>
1980	<u>4.70 %</u>	1990	<u>5.00 %</u>
1981	<u>4.70 %</u>	1991	<u>4.70 %</u>
1982	<u>4.70 %</u>	1992	<u>3.00 %</u>

; and

WHEREAS this Board and the purchaser have agreed that the alternate paying agent in the City of Chicago, Illinois, shall be the None Selected Bank and that the alternate paying agent in the City of New York, New York, shall be the None Selected Bank, each of said banks having a combined capital and surplus of not less than \$10,000,000;

NOW, THEREFORE, Be It Resolved by the State Board of Regents of the State of Iowa, as follows:

Section 1. That upon being advised in the premises it is hereby determined that the bid of John Nuveen & Co. (Inc.) and Associates for the purchase of \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, as advertised, bearing interest at the rates specified in the preamble hereof, is the highest and best bid received, and that said bonds be and the same are hereby awarded to said John Nuveen & Co. (Inc.) and Associates.

Section 2. That the form of agreement of sale of said bonds to John Nuveen & Co. (Inc.) and Associates be and the same is hereby approved and the President and Executive Secretary are hereby authorized to execute said agreement for and on behalf of the State Board of Regents.

Section 3. That as permitted by the resolution referred to in the preamble hereof the \$2,445,000 Academic Building Revenue Bonds, Series I.S.U. 1971A, of this Board and coupons pertinent thereto may, at the option of the holder, be presented for payment at the None selected Bank in the City of Chicago, Illinois, or, at the option of the holder, at the None selected Bank in the City of New York, New York, and said banks are hereby designated as the alternate paying agents for said bonds in the respective cities.

Section 4. That the resolution referred to in the preamble hereof as supplemented hereby be and the same is hereby ratified and confirmed in all respects.

Section 5. That all resolutions or parts of resolutions in conflict herewith be and the same are hereby repealed.

Passed and approved November 11, 1971.

ACADEMIC REVENUE BONDS, SERIES I.S.U. 1971A - SELECTION OF BOND AUDITORS.

The University recommended the selection of the Des Moines firm of Peat, Marwick, Mitchell & Company as bond auditors for the Academic Building Revenue Bonds, Series I.S.U. 1971A.

MOTION: Mr. Perrin moved that Peat, Marwick, Mitchell & Company of Des Moines be selected as bond auditors for the Academic Building Revenue Bonds, Series I.S.U. 1971A. The motion was seconded by Mrs. Petersen and passed unanimously.

The following business pertaining to Iowa State University was transacted on Friday, November 12, 1971.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for Iowa State University for the month of October 1971 were approved.

AREA EXTENSION OFFICE LEASE AGREEMENT - CEDAR RAPIDS. The University requested Board approval of exercising the option to extend the term of the existing lease agreement for the Area Extension Office in Cedar Rapids, Iowa, for a three-year period, beginning December 1, 1971. The existing lease agreement which is between the Board of Regents and the joint county system of Cedar, Johnson, Lynn and Washington Counties of Cedar Rapids, Iowa, has been in effect since January 1, 1970. The lease agreement covers the leasing of space for the Area Extension Office in Cedar Rapids in the building now jointly occupied with the merged Area (X) Community College. The space rented by the Area Extension Office is 2,311 square feet. Total rental cost is \$3.09 per square foot per year, which includes rent, heat, electricity, air conditioning, insurance, and janitor service.

MOTION: Mrs. Petersen moved for Board approval of the extension of the Area Extension Office Lease Agreement - Cedar Rapids, for three years, beginning December 1, 1971, as set out above. The motion was seconded by Mr. Shaw. On roll call, the vote was as follows:  
AYE: Bailey, Baldrige, Collison, McCartney, Perrin, Petersen, Redeker, Shaw.  
NAY: None.  
ABSENT: Wallace.  
The motion carried.

AGREEMENT WITH CITY OF AMES, IOWA, FOR 13TH STREET EXTENSION. The following Agreement with the City of Ames, Iowa, for the 13th Street Extension was presented by the University for Board approval:

This agreement, between the City of Ames, Iowa, and the State Board of Regents, on behalf of Iowa State University, is for the extension of 13th Street within the City of Ames, from Stange Road westerly to Ontario Road, and the widening of 13th Street to four lanes from Stange Road easterly to Harding Street.

For the purpose of this agreement, the City of Ames, Iowa, shall be referred to as "City" and the State Board of Regents and Iowa State University shall be referred to as "University".

It is mutually agreed, under the terms of this agreement between the City and the University, that 13th Street will be extended and constructed between Stange Road and Ontario Road across land presently owned by the University. Such street construction will start in the spring of 1973 and will be completed in the fall of 1974.

In order to complete this project under the terms of this contract, the parties agree as follows:

(1) The University agrees, upon receipt of payment, subject to the approval of the Executive Council of Iowa, on February 1, 1973, as hereinafter provided, to deliver to the City legal title to described real estate to be used for the extension of 13th Street across presently owned University property.

#### TRACT FOR 13TH STREET EXTENSION

A tract of land on either side of a centerline, the centerline being described as commencing at the Southwest corner of Section 33, Township 84 North, Range 24 West of the 5th P.M., Story County, Iowa; thence East along the South line of said Section 33, 955.35 feet; thence North 10 feet to the point of beginning, which the PC of Curve No. 1, a 6 degree curve concave to the North, whose back tangent is a line 10 feet North of and parallel to the South line of said Section 33, whose Station is 13+05, whose angle is 20 degrees left, and whose PT is Station 16+38; thence Eastward to Station 17+60, the PC of Curve No. 2, a 6 degree curve concave to the South whose angle is 24 degrees right, and whose PT is Station 21+60; thence Eastward to Station 25+40, the PC of Curve No. 3, a 4 degree curve concave to the North whose angle is 21 degrees left and whose PT is

Station 30+65; thence Eastward to Station 34+57, the PC of Curve No. 4, a 4 degree curve concave to the South, whose angle is 18 degrees right, and whose PT is Station 39+07; thence Eastward to Station 43+50, the centerline of Stange Road at 13th Street; the South portion of the tract of land lying between the aforesaid centerline and a line to the South of the aforesaid centerline described as beginning at the intersection of the East line of Hyland Avenue and the aforesaid centerline, thence South 40 feet along the East line of Hyland Avenue, thence Easterly 40 feet South of and parallel to the aforesaid centerline to Station 17+60, thence Easterly 50 feet South of and parallel to the aforesaid centerline to the South right-of-way line of the C&NW RR, thence Westerly along the South railroad right-of-way to the aforesaid centerline: thence beginning at the intersection of the North right-of-way of the C&NW RR and the aforesaid centerline, thence Easterly along the North railroad right-of-way line to a point 100 feet South of the aforesaid centerline, thence Easterly 100 feet South of and parallel to the aforesaid centerline to Station 30+65, thence Easterly 80 feet South of and parallel to the centerline to Station 34+57, thence Easterly 60 feet South of and parallel to the centerline to Station 43+50, thence North along the centerline of Stange Road until its intersection with the aforesaid centerline; the North portion of the tract of land lying between the aforesaid centerline and a line to the North of the aforesaid centerline beginning at the intersection of the aforesaid centerline and the East line of Hyland Avenue extended, thence North 60 feet along the East line of Hyland Avenue extended, thence Easterly 60 feet North of and parallel to the aforesaid centerline until its intersection with the South right-of-way line of the C&NW RR, thence Easterly along the railroad right-of-way to the aforesaid centerline; thence beginning at the intersection of the North right-of-way line of the C&NW RR and a line 80 feet North of the aforesaid centerline, thence Easterly 80 feet North of and parallel to the aforesaid centerline to Station 30+65, thence Easterly 90 feet North of and parallel to the aforesaid centerline to Station 34+57, thence Easterly 60 feet North of and parallel to the aforesaid centerline to Station 43+50 the centerline of Stange Road, thence South along the centerline of Stange Road until its intersection with the aforesaid centerline.

(2) The University further agrees, subject to future changes in the law, to widen to four lanes 13th Street east of Stange Road to the easterly property line of the University. This project will be accomplished entirely at no expense to the City and will be completed not later than the fall of 1975.

(3) The City will design, plan, supervise and construct the section of

13th Street between Stange Road and Ontario Road at the City's expense and on the tract provided by the University. The grading will be done and structures of this project will be built by the City during the calendar year of 1973. Paving will be laid by the City in the calendar year of 1974.

(4) The City will construct the street so that no part of the drainage, either surface drainage or by culvert, will go into Pammel Woods.

(5) The City will install at its expense, and prior to the start of street construction, a six foot chain link fence on the south line of the right-of-way through Pammel Woods. There shall be no encroachment into Pammel Woods beyond the limits of the tract as shown upon the plat and as defined by the installation of the chain link fence.

(6) The City will arrange to bring electric service to the new golf course buildings at no expense to the University.

(7) A plat of the tract is attached and made a part of this agreement.

(8) The City will pay the University a sum not to exceed \$293,428.00 which shall cover all costs of the University including the real estate, the cost of relocating facilities and damages.

The amount to be paid by the City to the University is agreed to as follows:

Real Estate R/W	\$29,700.00
Damages	57,867.00

In addition, the City, as previously stated, agrees to pay the University the cost of relocation and site work for the relocation of the golf course. Should the actual cost of relocation and site work on the golf course be less than \$205,861.00, the City shall pay the lesser amount. Should the actual cost be more than \$205,861.00, the City shall not pay more than \$205,861.00. The total amount to be paid to the University shall not exceed \$293,428.00.

(9) The City will pay to the University a sum of \$129,700.00 on or before February 1, 1973, at which time the University shall deliver to the City legal title to the heretofore described real estate.

The City will pay to the University a sum of \$63,728.00 on February 1, 1974.

The City will pay the balance due not to exceed \$100,000.00 at the time the University notifies the City that a contract has been awarded and construction starts on widening 13th Street to four lanes east of Stange Road to the east University property line, as outlined in Paragraph 3, of this agreement.

(10) The City agrees, at the City's expense, to widen 13th Street between

Harding Avenue and the eastern property line of the University to four lanes the same year the University widens 13th Street east of Stange Road to the eastern University property line under terms of Paragraph 3, of this agreement.

(11) The University may remove or dispose of, as it sees fit, any of the existing Pammel Court residential units. However, any of these units remaining on the site after March 1, 1973, are to be removed by the City at no expense to the University.

(12) The University will, at its expense, arrange to cut off utilities services to the Pammel Court residential units which are to be removed.

(13) The City agrees to maintain the section of 13th Street between Stange Road and Ontario Road as a City street after the completion of this project, and the City further agrees that the project will be completed with no assessment against University land.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1971.

In short discussion, it was suggested that the University seek to minimize as much as possible the cost of relocation of the golf course necessitated by this land transfer; avoid using sod, for example, where seeding possibly could do the job. The University expects to present plans and budget for relocation of the golf course to the Board at an early date.

MOTION:

Mr. Perrin moved the Board approve the above Agreement with the City of Ames, Iowa, for the 13th Street Extension, including the sale of land to the City with payment not to exceed \$293,428, subject to approval of the State Executive Council. The motion was seconded by Mr. Shaw. On roll call, the vote was as follows:

AYE: Bailey, Baldrige, Collison, Perrin,  
Petersen, Redeker, Shaw.

NAY: None.

ABSTAINED: McCartney

ABSENT: Wallace

The motion carried.

EXTENSION OF UNDERGROUND CHILLED WATER SYSTEM. The University reported the 62nd G.A. Capital Appropriation included funds for the construction of the

Science Building Addition No. 2 and the remodeling of the Physics Building. Both these projects were to be air conditioned by extending the central chilled water system and making the necessary connections to both buildings. The Science Building Addition No. 2 will be completed and ready for occupancy in the fall of 1972, at which time necessary chilled water must be available. In addition to this building, the Physics Building which has been partially remodeled with provisions for cooling included in the remodeling should be connected in order to provide proper utilization of the space. It should be noted that the remodeling of the Physics Building was not completed as planned with the funds appropriated by the 62nd G.A. since a portion of these funds was reverted to the 63rd G.A. appropriation. It is proposed to negotiate with Brown Engineering Company, designer of the existing chilled water system, a supplement to the contract for the design of the Steam Generator No. 3, Auxiliary Equipment and General Utilities Extension approved by the State Board of Regents September 10, 1971. The contract will provide for design service on an hourly cost basis not to exceed \$28,000. After completion of the design, it is proposed then to take bids on the installation of this underground chilled water extension, at which time a project budget will be submitted to the State Board of Regents along with a recommendation for award of a contract. It is estimated that the total project, including design services, will not exceed \$465,000. The source of funds for this project will be Plant Funds Unallocated.

The University requested Board approval to negotiate for engineering services as set out and Board approval of the project.

MOTION:

Mr. Perrin moved for Board approval of Iowa State University negotiating for engineering services for the Extension of Underground Chilled Water System, as set out by the University above, also for Board approval of the project itself. The motion was seconded by Mr. Baldrige, and carried by unanimous approval of all present.

DEPARTMENT OF DEFENSE - RESOLUTION. As a result of changes in certain University administrative officers since 1970 a new resolution to enter into Government Research Contracts is required by the Industrial Security Manual of the Department of Defense.

MOTION:

Mr. Perrin moved the Board approve adoption of the following resolution relating to negotiation, execution and administration of Government research contracts under the Industrial Security Agreement between the Iowa State University and the U. S. Department of Defense. The motion was seconded by Mr. McCartney, and carried without objection.

RESOLUTION

WHEREAS, the Industrial Security Agreement between Iowa State University and the U. S. Department of Defense requires that all Officers of Iowa State University having the authority and responsibility for negotiation, execution and administration of Government research contracts be so certified by an appropriate resolution of said Board, and that all Regents and other Officers of the Board and the University will not require, nor have, and can be effectively denied, access to classified information in possession of the Iowa State University of Science and Technology, and

WHEREAS, the Iowa State University of Science and Technology desires to report those Officers having such authority and responsibility,

NOW THEREFORE BE IT RESOLVED that this Board does hereby certify for the purpose of meeting the requirements of the Industrial Security Agreement that the following Officers of the Iowa State University of Science and Technology have the authority and responsibility for the negotiation, execution and administration of Government research contracts:

W. Robert Parks, President

Wayne R. Moore, Vice President for Business & Finance

Warren R. Madden, Assistant Vice President for  
Business and Finance

Daniel J. Zaffarano, Vice President for Research

BE IT FURTHER RESOLVED that the following Regents and other officers of the said Board and University will not require, nor have, and can be effectively denied, access to classified information in possession of the said University, and do not occupy positions that would enable them to affect adversely the policies or practices of the said University in the performance of contracts for the Government.

University Officers

Bernard O. Randol  
Samuel A. McDowell

Board Office Staff

R. Wayne Richey  
Paul V. Porter  
Robert G. McMurray  
W. C. Caldwell  
Donald R. Volm

Board Members

Ray V. Bailey  
John Baldridge  
Mr. Margaret Collison  
Ralph McCartney  
Ned E. Perrin  
Mrs. H. Rand Petersen  
Stanley F. Redeker  
Donald H. Shaw  
Ralph H. Wallace

BE IT FURTHER RESOLVED that the Executive Secretary of the State Board of Regents be authorized and directed, and he is hereby authorized and directed, to transmit to Defense Contract Administration Services Region, 1136 Washington Street, St. Louis, Missouri 63101, two certified copies of this resolution.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported the Register of Capital Improvement Business Transactions for the period October 15 to November 11, 1971, had been filed with him, was in order and was recommended for approval. There were no construction contracts recommended for award. The following new projects were presented for approval:

UTILITIES - SOUTH CAMPUS ELECTRIC SUBSTATION  
AND CABLES

Project Description and Budget

On November 14, 1969, the State Board of Regents authorized the University to install the West Campus Electric Substation which was placed in operation approximately one year ago. This substation is presently carrying 3000 KVA of load and it is anticipated that by the fall of 1973 it will have reached its normal capacity of 5000 KVA. At that time it will be necessary to establish a second source of power for the southwest portion of the campus and to provide an alternate source of supply should the West Campus Substation fail.

It is now proposed to take bids and purchase the substation transformer, associated switchgear, conduit and cables for this project. Past experience

and indications from manufacturers indicate that much of this equipment and materials could take up to fourteen months for delivery. Approval is recommended for the Physical Plant Department to design the project and develop plans and specifications for the purchase of the equipment and materials required for the project.

Transformer and Switchgear	\$70,000
Cable and Conduit	20,000
Engineering	<u>5,000</u>
Total	\$95,000

Source of Funds:

Overhead Reimbursement for Use of Facilities (500-00-11)	\$95,000
---	----------

UTILITIES - DAIRY FARM ELECTRIC SERVICE

Project Description and Budget

The Dairy Farm has been served for many years by a 4.16 KV overhead primary electric service with a portion of this service above several of the buildings. This is recognized as a safety hazard and it is now proposed to make the necessary modifications to the system in order to eliminate this hazard.

It is proposed to purchase and install the necessary equipment and materials to provide an underground primary electric service in those areas where the overhead system creates a safety hazard. It is recommended that the Physical Plant Department purchase and install equipment and materials.

Equipment and materials	\$10,000
Installation	5,000
Miscellaneous and Contingencies	<u>2,000</u>
Total	\$17,000

Source of Funds:

Plant Funds Unallocated (500-00-00)	\$17,000
--	----------

UTILITIES - 13.8KV WEST CAMPUS FEEDER CABLE

Project Description and Budget

On November 14, 1969, the State Board of Regents authorized the University to proceed with the installation of the West Campus Electric Substation and Feeder Cable. This substation was placed in service approximately one year ago and is presently carrying 3000 KVA which is approximately 20 per cent of the University's electric load. At the time of installation of this substation, sufficient funds were not available to provide two 13.8 KV feeders, which is highly desirable in order to provide the proper reliability for the installation.

It is now proposed to install the second 13.8 KV feeder to the substation and to purchase and install the necessary switchgear both at the substation and at the power plant. This feeder will be installed in an empty conduit which was provided between the substation and the power plant as part of the installation of the substation.

In order to proceed with this project, it is recommended that the installation be done by the Physical Plant Department and approval is recommended.

Equipment and Materials	\$45,000
Installation of Equipment & Materials	9,000
Miscellaneous & Contingencies	<u>6,000</u>
Total Estimated Cost	\$60,000

Source of Funds:

Overhead Reimbursement for Use of Facilities (500-00-11)	\$60,000
--	----------

BUILDINGS AND FACILITIES FOR THE ANKENY RESEARCH FARM  
(DAIRY BREEDING RESEARCH CENTER)

Project Description and Budget

This construction project is to be located on the Ankeny Research Farm adjacent to the existing dairy cattle facilities. It is approximately one-half mile west of U. S. Highway 69, and one-half mile north of the Des Moines Area Community College.

The project consists of a double 2 milking parlor with prep stalls, a holding area, aeration basin, lot runoff basin and irrigation system.

The milking parlor is a nominal 24' x 36' concrete block insulated structure attached to the existing stanchion barn milk room by a 6' x 14' link. The existing stanchions will be used for collection of fertility and obstetrical data and as an infirmary unit. The holding area is a concrete surfaced area for animals to be held just prior to milking.

The aeration basin is an open top metal tank submerged in the ground with a floating surface aerator which will aerobically treat parlor and human waste before discharging into the lot runoff basin. The lot runoff basin will receive lot runoff from the daily scraped concrete lots during rainstorms, as well as from the aeration basin. An irrigation system will be installed as a means of efficiently lowering the level of the runoff basin and final placement of nutrients on 4 acres of crop ground.

This waste-handling system is designed to preclude direct runoff or milking parlor waste entering the nearby waterway which flows through the community college property.

Milking parlor and holding area	\$18,000
Aeration basin	5,500
Runoff basin and irrigation	8,500
Contingency	4,000
Design and inspection	<u>3,500</u>
	\$39,500

Funds: Ankeny Land Sale Funds

Questions were raised relative to the Ankeny Research Farm project.

In discussion, it was brought out that while the University had not changed its philosophy regarding eventual sale of this land, this particular project was necessary and would, because of increased efficiency, actually pay out in a relatively short period of time. Said period was short enough to preclude major change in land usage.

MOTION:

Mr. Perrin moved the Register of Capital Improvement Business Transactions for the period October 15 to November 11, 1971 be approved; the new projects shown above be approved. The motion was seconded by Mrs. Petersen and passed unanimously.

NASULGC PRESIDENCY. It was noted that President Parks had been named president-elect of the National Association of State Universities and Land Grant Colleges. The Board expressed pleasure in receipt of this high honor by Dr. Parks.

UNIVERSITY OF NORTHERN IOWA

The following business pertaining to the University of Northern Iowa was transacted on Friday, November 12, 1971

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the University of Northern Iowa for the month of October 1971 were approved.

MALCOLM PRICE LABORATORY SCHOOL. Immediately following lunch on Friday the Board was conducted on a brief tour of the Malcolm Price Laboratory School to view and observe some of the programs, activities and facilities, after which the Board meeting resumed. At a previous meeting the Board had requested the University to prepare and present additional detailed information concerning the total operation of the laboratory school, its relation and importance to the overall function of the University. The Board's intent was to evaluate the Price Laboratory School and determine whether or not its continuation was warranted in face of the increasing cost of its operation, the low per-pupil return received from the Waterloo and Cedar Falls School Districts for children attending the school. **University personnel** distributed during this meeting a part of its report, the balance of which they planned to bring to the December Board meeting. Professor Howard Knutson, Dean of the UNI College of Education, and Professor Ross A. Nielsen, Head of the Teaching Department, were in attendance during the discussion to supplement the University report. They **stressed that the laboratory** school is a full partner in the program of teacher education at UNI; and, in addition, it is a strong force in education and education research throughout

the state. Among its activities the laboratory school conducted graduate credit and non-credit study programs, workshops, conferences; provided consultative and cooperative services in which thousands throughout the state have participated. The University referred to statistics which indicated a fairly steady trend, since 1963, of the continuation of laboratory schools throughout the country. There has been a re-defining of the roles of these laboratory schools to the direction of research. Over the last 10 years the Price Laboratory School has shifted away from the major role of student teaching to a more total role of experimentation, research, testing, development (study and other programs, guidelines, policies, pilot studies, procedures, etc.) which is a continuing process. In discussion one request made was that the University include in its December report not only the statistical and other information forecast, but information relative to whether the University foresees any further changes in the role of the laboratory school and, possible different levels of operation for the school. Interest was expressed, too, in how the University regards statewide use of the laboratory school and how it relates to its operation. Along that line, with such wide use of the laboratory school throughout the state, as indicated, one member suggested consideration might be given to a shared funding plan. Further, the University was asked to consider pros and cons of budgeting the lab school operations separately and requesting appropriations separately in the similar manner to that utilized at present for Extension and University Hospitals. The Board accepted the University's initial report on the Price Laboratory School for review.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. Executive Secretary Richey reported that the Register of Capital Improvement Business Transactions at the University of Northern Iowa for the period October 1, 1971, to November 4, 1971, had been filed with him, was in order and was recommended for approval. The following construction contract was recommended for award:

<u>Contractor</u>	<u>Project</u>	<u>Amount</u>
Petersen Contractors, Inc.	Pedestrian Access to Married Student Housing	\$41,383.65

One bidder on this project had clearly not followed instructions to the bidder, but the bid was opened, in error. However, since this was not the lowest bid, the rejection was not a matter of immediate issue.

A Revised Project Budget on the Driver Training Range was presented for approval. An increase of \$4,750 in this budget had been approved by the State Director of the Highway Safety Program and by the Department of Public Instruction. \$4,300 is to increase contractual services while \$450 is to cover increases in other direct costs. Most of the increase is to cover additional engineering fees. With this revision, total project budget would be \$270,823. All funding is by the Department of Public Instruction through administration of Federal funds. The general contract on the project is completed.

**MOTION:**

Mr. McCartney moved the Register of Capital Improvement Business Transactions at the University of Northern Iowa for the period October 1 to November 4, 1971, be approved; that the recommended contract, shown above, be awarded and the Executive Secretary be authorized to sign the necessary contract; that the revised project budget shown above be approved. The motion was seconded by Mr. Perrin, and was approved unanimously.

UNIVERSITY OF NORTHERN IOWA  
November 11-12, 1971

APPOINTMENT. The University requested Board Approval of the following appointment:

Professor Fred Lott of the Department of Mathematics, to the position of Assistant Vice-President, Academic Affairs, effective November 15, 1971, with a 12-months salary of \$24,000. This would be a half-time administrative appointment for the academic year and a full-time appointment for the summer period.

In the absence of any objection the Board approved the above appointment.

IOWA SCHOOL FOR THE DEAF

The following business pertaining to the Iowa School for the Deaf was transacted on Thursday, November 11, 1971.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the Iowa School for the Deaf for the month of October 1971 were approved.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Register for October contained no items.

IOWA BRAILLE AND SIGHT SAVING SCHOOL

The following business pertaining to the Iowa Braille and Sight Saving School was transacted on Thursday, November 11, 1971.

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for the Iowa Braille and Sight Saving School for the month of October 1971 were approved.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Register for October contained no items.

STUDENT TEACHING CENTER FOR FLORIDA STATE UNIVERSITY. Superintendent Rocco reported that Florida State University in Tallahassee had requested the use of the facilities of IBSSS in the Mobility Department for a student teaching center. He reported this would not interfere with other student programs already in effect, because there were none on mobility. Mr. Rocco mentioned mobility was one of the areas of great need and the school would welcome the opportunity to have a student teacher in this area. This would not involve every semester, only as young people would select the school. There would be no inconvenience to the school, according to Mr. Rocco. On question regarding the expense of food and lodging, Mr. Rocco reported the usual procedure would be to utilize the student teacher in some other capacity in out of school hours for which a salary would be paid to equal maintenance. The school recommended this request be granted.

MOTION:

Mr. Perrin moved the Board approve the granting of permission to Florida State University, Tallahassee, to use the Iowa Braille and Sight Saving School as a Student Teaching Center in the

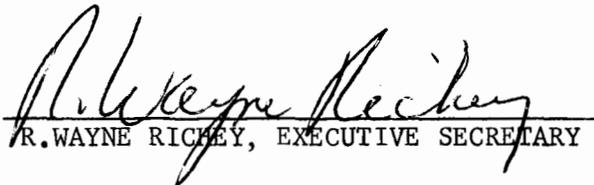
Mobility Department under the usual arrangements so as not to cause a financial burden to the School. The motion was seconded by Mrs. Petersen, and passed by unanimous approval.

APPEAL OF EILEEN DELLEVAR. President Redeker brought to the Board the request of Mrs. Eileen Dellevar for a hearing with regard to her appeal for reinstatement as an employee at the Iowa Braille and Sight Saving School. Mrs. Dellevar has exhausted the institutional remedies. It was explained the action required by the Board at this time was to determine whether it wished to grant a hearing to Mrs. Dellevar and, if so, whether it would be open or closed. On question as to whether the proceedings of the matter were adequate to permit the Board to reach a decision, Superintendent Rocco answered affirmatively. There was, however, no formal transcript made of the proceedings, in the usual sense.

MOTION:

Mr. Perrin moved the Board grant a hearing on the appeal of Mrs. Eileen Dellevar on the record and direct all records and briefs concerning the matter be forwarded to the Board for its review and consideration. After this action, the Board then can decide whether a further oral hearing will be necessary. This motion was seconded by Mr. McCartney, and carried unanimously.

ADJOURNMENT. There being no further business, President Redeker declared the meeting adjourned at 5:50 p.m. on Friday, November 12, 1971.

  
R. WAYNE RICHEY, EXECUTIVE SECRETARY