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

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"A university must also impart certain images or concepts, such as spirit, human nature, beauty, the good, man's dignity, and man's cultural heritage. Obviously, these are not facts, as the scientist sees facts, being not measurable, not weighable, nor endowed with a physical existence....And yet, these images, these concepts, have great power and worth...."

--James R. Caldwell, Professor of English,
University of California

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Table 72. THIRTEEN MULTI-CAMPUS MEGIVERSITIES, IN DESCENDING ORDER OF STATE TAX FUNDS APPROPRIATED FOR OPERATING EXPENSES FOR FISCAL YEAR 1973-74, WITH PERCENTAGES OF GAIN OVER TWO YEARS AND OVER TEN YEARS.

(In thousands of dollars)

Megaversity	Year 1963-64	Year 1971-72	Year 1973-74	2-yr gain per cent	10-yr gain per cent
(1)	(2)	(3)	(4)	(5)	(6)
State U of N Y	94,113	464,993	547,781	18	482
U of California	155,384	335,982	437,414	30	181 1/2
U of Wisconsin system	36,900	129,912	248,760*	Not comparable	
U of N C system	32,236	113,567	202,277**	Not comparable	
U of Illinois	76,792	160,258	185,405	15 1/2	141
U of Texas system	40,278	146,854	183,777	25	356
(City U of N Y)+	(29,821)	(90,050)	(132,300)	(46 1/2)	(343 3/4)
U of Minnesota	39,307	100,686	114,620	14	191 1/2
U of Missouri	30,094	89,994	104,751	16 1/2	248
U of Michigan	38,225	78,383	97,328	24	154 1/2
Ohio State U	34,727	80,946	97,192***	15	180
U of Maryland	24,696	81,101	96,610	19	291
Indiana U	30,729	84,903	94,226	11	206 1/2
Totals	663,302	1,957,629	2,542,441		
Weighted average percentage of gain				23	

+ Municipal university drawing support approximately equally from state and city.

* The figure is for all institutions in the entire consolidated statewide system, and is not comparable with earlier figures for the former U of W system.

** For all 16 institutions in the new statewide system; not comparable with former UNC system.

*** Estimated, by including \$4 1/2 million for the four branch campuses.

In Table 72 are the 13 "multi-campus megaversities", showing a weighted average two-year gain of 23 per cent--almost as high as the 50-state average of 25 per cent, and much better than the 15 1/2 per cent shown for 1972-73, one year ago.

In Table 73 are the main campuses only of eleven of the same megaversities, few of which are single-campus, and others for which only the total multi-campus figures appear, because data for the main campus separately are not available. This second group shows a total weighted average gain of 15 1/2 per cent--which is better than the 12 1/2 per cent shown in 1972-73, one year ago.

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Table 73. THIRTY MAIN OR MAJOR CAMPUSES OF MEGAVERSITIES, AND OTHER MULTI-CAMPUS AND SINGLE-CAMPUS STATE UNIVERSITIES FOR WHICH MORE THAN \$50 MILLION OF STATE TAX FUNDS WERE APPROPRIATED FOR OPERATING EXPENSES FOR FISCAL YEAR 1973-74

State Universities	Year 1971-72	Year 1972-73	Year 1973-74	2-yr gain per cent
(1)	(2)	(3)	(4)	(5)
U of Maryland**	81,101	88,632	96,610	19
U of Illinois (Urbana)*	84,147	88,194	95,416	13 1/2
Ohio State U (Columbus)*	80,946	82,891	92,692	14 1/2
U of Wisconsin (Madison)*	70,704	77,870	91,293	29
U of Florida	67,073	74,734	89,827	34
Michigan State U	75,943	82,119	89,582	18
U of California (L A)*	76,366	81,288	89,081	16 1/2
U of Michigan (Ann Arbor)*	72,733	79,822	88,326	21 1/2
Penn State U**	75,819	75,819	86,829	14 1/2
U of California (Berkeley)*	73,621	76,939	83,105	13
Southern Illinois U**	71,780	74,640	80,307	12
Indiana U (Blg & Ind)*	74,069	72,399	75,709	2
Louisiana State U	63,840	67,485	74,010	16
Rutgers, St U of N J**	61,922	64,859	72,318	17
U of Washington	61,548	61,548	72,161	17
S U N Y at Buffalo	67,142	62,717	68,911	2 1/2
U of Kentucky**	61,590	64,835	67,464	9 1/2
U of Arizona	47,054	54,980	66,167	40 1/2
Purdue U**	60,122	63,061	65,442	9
U of Georgia	50,746	54,957	64,649	27 1/2
U of N C (Chapel Hill)*	52,631	52,631	64,123	22
Texas A & M System	56,908	60,488	62,216	9
U of California (Davis)*	47,421	51,574	61,871	30
Wayne State U (Detroit)	51,253	56,395	61,476	20
U of Connecticut**	57,891	58,050	60,776	5
U of Iowa	50,687	52,550	58,650	16
U of Hawaii**	59,634	64,192	57,295	- 4
U of Missouri (Columbia)*	50,567	52,847	55,653	10
U of Texas (Austin)*	54,360	57,985	53,127	- 2
Temple U***	43,941	49,711	52,197	19
Totals	1,903,559	2,006,212	2,197,283	
Weighted average percentage gain over 2 years				15 1/2

*A main or major campus of multi-campus megaversity already entered above in Table 72 GRAPEVINE page 1184.

**Includes branch campuses.

***Private university subsidized by the State of Pennsylvania.

Eleven of the 13 megaversities in Table 72 are also entered in some manner in Table 73 (U of California has three entries). Hence there appear to be 33 centers of higher learning in the category of \$50 million or more of state tax funds. The trend of state support is upward from what it was a year ago.

GOVERNOR REAGAN'S PLAN TO THROTTLE THE PUBLIC SERVICES IS DEFEATED BY CALIFORNIA ELECTORATE

CALIFORNIA. One of the more important results of the scattered off-year elections of November 6, 1973, was the defeat at the polls of "Proposition One", otherwise known as the Tax and Expenditure Limitation Initiative, designed to place a shrinking strait-jacket on state appropriations in California.

Actively advocated by Governor Ronald Reagan, "Proposition One" was a hugely complicated measure intended to mandate gradual yearly reductions in the ratio between state expenditures and the total of personal incomes in the state, until a target ratio of 7 per cent would be reached. In plainer words, the intent was that ultimately state tax expenditures for all state purposes would be under a ceiling of 7 per cent of personal incomes in the state.

There was open disagreement between A. Alan Post, the experienced and respected Legislative Analyst, and Verne Orr, the current Director of Finance, regarding the statistical base from which the calculations should be begun.

This ambiguity clouded the effort to estimate the immediate and long-term effects of the complex proposal.

Clearly, however, if adopted, Proposition One would have compelled continuing reductions of expenditures at the state level, and the only debatable questions related to how drastic the cutbacks would be, both in the short and long run. Some estimators said disastrous cuts would be inevitable for fiscal year 1974-75, while others said the impact would be only gradual and that the targeted lid on state expenditures would be reached only after about 17 years had passed.

All had to agree that some retrenchment would be required, and that to meet the shock there would be only two basic alternatives for California's legislature in funding the numerous state departments and agencies, including its great system of public higher education: (1) to reduce and dilute their

services, or (2) to allow the discarded functions to be supported to a greater extent by local taxing subdivisions, thus in effect making a farce of the reduction of state taxation.

All this is explained by President Charles J. Hitch of the University of California in a report to the Regents made at their meeting of October 19, 1973. (His report is printed in full in the weekly University Bulletin 22: Number 10, November 5, 1973, pp. 51-57).

President Hitch concluded that adoption of the measure would require the University to take one or more of three possible actions:

(1) "To continue to trim and squeeze faculty-student ratios, maintenance costs, library support and other expenditures as we have done for the past six years, and on top of what we have done for the past six years.

(2) "To eliminate academic programs.

(3) "To increase tuition fees.

Every \$100 added to tuition fees would yield \$11.5 million in additional gross revenue, assuming that it produced no dampening effect upon projected enrollments. But this gross figure would be partly offset by requirements for increased student financial aid.

"It is unrealistic to expect that the State government would be a likely source for such increased aid funding. And the present confusion surrounding Federal student aid programs makes the Federal government an unlikely source of additional funding for this purpose."

Political writers say Governor Reagan, though taken aback by the resounding defeat of his pet measure, intends to "take it to the people" both in California and nationally, in extensive and intensive rounds of political speech-making. One guess is that his meteoric career is nearing its landfall, and that his persistent advocacy of turning the clock backward will not have much popular support.

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TWO NEW GOVERNORS-ELECT: A MODERATE PROGRESSIVE IN NEW JERSEY;
A CONSERVATIVE IN VIRGINIA

NEW JERSEY. Brendan T. Byrne, a moderately progressive Democrat, was overwhelmingly elected governor in November 1973. The Republican Governor William T. Cahill, in office since 1969, lost his campaign for renomination to Charles W. Sandman, an ultra-conservative member of Congress, who in turn lost the election to Byrne.

Cahill's defeat was probably due to widely publicized scandals in the upper echelons of his administration (though he himself was not accused of wrongdoing). It may also have been in part due to his urging, unsuccessfully, of a tax reform package including a state income tax. He had worked for the enactment of an income tax, as had his Democratic predecessor, Richard J. Hughes.

Governor-elect Byrne did not commit himself to an income tax during his campaign; but it seems possible that with the strengthening of the progressive element in the newly-elected legislature, early adoption of a graduated personal income tax in New Jersey may be forthcoming. This was recommended in 1972 by Governor Cahill's tax policy committee, and supported by the New Jersey Manufacturers' Association, the League of Women Voters, and many other organizations.

VIRGINIA. After the collapse of the famous Byrd conservative Democratic machine, elections in Virginia are no longer as regularly structured or predictable as formerly.

In November 1973 the conservative Democratic candidate for governor bore the Republican label, and won the election over a progressive Democrat who ran as an Independent. The Democratic party selected no nominee.

Virginia has both general sales taxes (at the below-average rate of 3 per cent) and graduated personal income taxes (from 2 per cent on the first \$3,000 of taxable income to 5 per cent on taxable incomes above \$5,000; classified as "moderate" income tax).

In common with most of the Southern states, Virginia has improved its ranking among the fifty states as to the sheer volume of appropriations of state tax funds for annual operating expenses of higher education since 1960. From 18th place in 1960 the Old Dominion rose to 14th place in 1973.

The gains have continued during the four years since 1970. The statewide total for fiscal year 1973-74 is 75 per cent larger than it was for fiscal year 1969-70, four years earlier.

THE SIX NEW ENGLAND STATES have no college of veterinary medicine. The lack and the need have been known for decades. At long last the New England Governors' Conference, meeting in Boston November 15, 1973, requested the New England Board of Higher Education to develop detailed plans and draft proposed legislation for the six states, looking toward the establishment and operation of a regional program of instruction and research in veterinary medicine, to be supported and used proportionally by the six states. The Governors pledged to provide the Board with \$48,000 to finance the requested planning. Action by the six legislatures will be necessary to implement the plan and support its operation. Time will tell whether the idea is feasible, or whether it would have been better to have one of the more populous of the six states add a college of veterinary medicine to its state university.

A FEDERAL JURY VERDICT AWARDS DAMAGES TO DAVID F. ROTH, WHOSE SERVICES AS A NONTENURED FACULTY MEMBER AT THE STATE UNIVERSITY AT OSHKOSH WERE TERMINATED BECAUSE OF HIS EXERCISE OF REASONABLE FREE SPEECH IN CRITICIZING THE ADMINISTRATION

WISCONSIN. This state is the place of origin of current litigation in federal courts which is likely to cast rays far into the future regarding the rights of nontenured university faculty members.

The cause célèbre is the suit of David F. Roth, formerly assistant professor of political science at the Wisconsin State University at Oshkosh, who was dropped at the expiration of a one-year contract, allegedly because he had orally criticized the administration's handling of some student disorders.

Roth pleaded that the termination of his service without any stated reason and without opportunity for a hearing violated his right to due process of law as guaranteed by the Fourteenth Amendment; and that because the real reason was his dissent from some practices of the administration, he was penalized for a reasonable exercise of his right of freedom of speech as guaranteed by the First Amendment to the U. S. Constitution.

Right to Reasons and a Hearing

U. S. District Judge James E. Doyle temporarily stayed the action on the plea of freedom of speech, and rendered a judgment in favor of Roth on the plea of due process. This was affirmed by the Seventh Circuit Court of Appeals, but was eventually reversed by a vote of 5 against 3 of the Justices of the U.S. Supreme Court, in the famous decision of June 29, 1972, with Justices William O. Douglas, William J. Brennan, and Thurgood Marshall vigorously dissenting.

Justice Potter Stewart, writing for the majority of the court, denying Roth had any right to a statement of reasons and a hearing in this case, made clear that the case would have been different if the Regents had made public any charges against Roth or done anything that would tend to damage his reputation or diminish his chances of finding suitable employment elsewhere. (In fact,

Roth had already been employed in a similar capacity at Purdue University, and hence it appeared that he had not suffered any great pecuniary loss as a result of the action of the Wisconsin Regents of State Universities).

Even though strictly confined to the facts of this case, the Supreme Court decision was a conservative one, running counter to several judgments of U. S. Courts of Appeals in earlier similar cases; and contrary to what will apparently become the law of the land in the long run. It tended to retard somewhat the progress of a salutary modern trend.

The Issue of Freedom of Speech

The door was open for Roth to resume his plea in Judge Doyle's court on his right of free speech. He did so. The daily press of Mid-November 1973 reported that a federal jury had returned a verdict awarding Roth \$5,246 in compensatory damages and small punitive damages against three administrators at the university at Oshkosh: \$750 against the vice president for academic affairs, \$500 against the dean of the school of letters, and \$250 against a member of the political science tenure committee. The total of damages was \$6,746.

The jury concluded that the three administrators had acted "recklessly or maliciously for the purpose of silencing Roth."

As we go to press we are not advised as to whether the case will again be appealed to a higher court. Note, however, that Justice Stewart carefully stressed that the plea of free speech was not before the Court at the time of its decision of June 29, 1972, and intimated that on such a plea, if the facts are proved as alleged, termination of a faculty member's services solely to penalize his exercise of the constitutional right of free speech is unlawful.