

Des Moines, Iowa  
January 9-10, 1969

The State Board of Regents met at the Grimes State Office Building on  
January 9-10, 1969.

Present:

Members of the State Board of Regents

Mr. Redeker, President	All sessions
Mr. Louden	All sessions
Mr. Perrin	All sessions
Mr. Quarton	All sessions
Mr. Richards	All sessions
Mr. Wallace	All sessions
Mr. Wolf	All sessions

Office of the State Board of Regents

Executive Secretary Richey	All sessions
Mr. Porter	All sessions
Mr. McMurray	All sessions

State University of Iowa

President Bowen	January 9
Vice President Boyd	January 9
Vice President Jolliffe	January 9
Director Strayer	January 9

Iowa State University

President Parks	January 9
Vice President Christensen	January 9
Vice President Moore	January 9
Vice President Hamilton	January 9

University of Northern Iowa

President Maucker	All sessions
Vice President Lang	All sessions
Business Manager Jennings	All sessions
Director Holmes	January 10

Iowa School for the Deaf

Superintendent Giangreco	January 9
Business Manager Geasland	January 9

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GENERAL OR MISCELLANEOUS

The meeting of the State Board of Regents was called to order at 9:20 a.m. on Thursday, January 9, 1969. The following business pertaining to general or miscellaneous matters was transacted:

MINUTES OF THE DECEMBER 12-13, 1968 MEETING. The minutes of the meeting held December 12-13, 1968 were approved as corrected.

COMMITTEE ON EDUCATIONAL COORDINATION - QUAD CITIES GRADUATE STUDY CENTER.

At its December meeting, the Board had questioned the proposed Articles of Incorporation for this Center on four points:

1. Whether incorporation was necessary in view of the experimental nature of the Center;
2. Whether a corporation in perpetuity was necessary when a more limited duration would suffice;
3. Why no means of withdrawal from the corporation was stated in the proposed Articles;
4. What degree of autonomy the Center should enjoy.

These points had been conveyed to the Quad-Cities Council for Graduate Education by the Board Office, and at this Board meeting the Executive Secretary read the reply thereto just received. This reply:

1. Contained a proposed new Article IX, giving member institutions "complete and unfettered control" over programs or degrees offered through the Center;
2. Transmitted a proposed amendment to "A Design for a Graduate Study Center in the Quad Cities" which would provide for a review by the Board of Directors after three years operation and a recommendation by the Board for continuance, modification or dissolution;
3. Contained a proposed new Article XI providing for voluntary dissolution;

4. Stated the Council's belief that it would be unwise to restrict longevity because of the adverse effect on obtaining of grants;
5. Stated that procedures for withdrawal of participating institutions would be outlined in the By-laws when drafted.

In the discussion which followed it was noted that a meeting with the other members of the Study Committee was in order to clarify the points at issue. In particular, Board members reaffirmed their stand that provision for withdrawal of participating members should be included in the Articles of Incorporation. With such provision, the matter of corporate duration would become of less moment.

MOTION: Mr. Wolf moved that the Regent representatives inform their counterparts on the Study Committee of the Board's position that withdrawal provisions should be included in the Articles of Incorporation. The motion was seconded by Mr. Quarton and passed unanimously.

MOTION: Mr. Wolf moved that the Regent representatives on the Study Committee present a final draft of the proposed Articles of Incorporation for Board approval at the next Board meeting. The motion was seconded by Mr. Loudon and passed unanimously.

ORGANIZATIONAL AFFILIATIONS OF REGENT INSTITUTIONS. Following the above discussion of the Quad Cities Graduate Center, some Board members expressed a desire to have available a listing of other organizations or associations which are either wholly-owned by the institutions or with which the institutions are affiliated. It was the general sense of the discussion that such a listing should include wholly-owned, satellite or off-campus organizations rather than those directly related to instruction or administration of the

institution. The Board Office was directed to secure such a listing, using its best judgment as to the types of organizations which should be included.

PROPOSED INSTITUTION OF HIGHER EDUCATION IN WESTERN IOWA. The Board was provided with copies of letters from the Atlantic Planning Commission, the Atlantic City Council, the Atlantic Municipal Utilities Board and the Cass County Zoning Commission stating the intention of those bodies to provide the off-site facilities for the proposed institution and the compatible zoning of adjacent properties. The letters were intended to satisfy two of the conditions stipulated by the Board on November 15, 1968 for acquisition of the Atlantic site. Mr. Richards noted in this regard that no present administration may commit future administrations.

At its December meeting the Board had referred to the Attorney General a request from the City of Harlan for reimbursement in the amount of \$3,744.35 for expenses incurred for topographic surveys, sub-soil analyses and land appraisals in connection with the site selection for the proposed institution. In an opinion dated January 3, 1969, the Attorney General stated that "there appears to be no basis upon which such items can now be made a contractual obligation of either the architects or the Board of Regents. Without benefit of such direct contract provision, the state is now prohibited by Article VII, Section 1 of the Constitution of Iowa, from assuming or becoming responsible for the debts or liabilities thus incurred by the community seeking to be selected as the site for the new school."

MOTION:

Mr. Wolf moved that the Board Office reply to the request from the City of Harlan and include a copy of the Attorney General's opinion. The motion was seconded

by Mr. Richards. In the absence of any objection, the President declared the motion passed.

In subsequent discussion, Mr. Wallace stated that the consultants, Perkins and Will, as Board representatives, had misinformed the communities concerned by telling them that these costs would have to be borne by the communities rather than by the Board of Regents.

MOTION: Mr. Wallace moved that the Board file full information on this matter with the Board of Architectural Examiners and the Board of Engineering Examiners for an opinion as to the ethical conduct of Perkins and Will. The motion was seconded by Mr. Perrin.

Mr. Perrin stated there was no question but that the Board intended to pay these costs and he was therefore unable to explain why the consultants took it upon themselves to state otherwise. Mr. Wolf suggested that the referral contained in this motion constituted a serious step. The Executive Secretary then requested that he be given time to examine all of the facts and correspondence involved before action by the Board.

MOTION: Mr. Wolf moved that action on the motion by Mr. Wallace be postponed until the Executive Secretary has reported. The motion was seconded by Mr. Wallace and passed unanimously.

On the following day (Friday, January 10, 1969) the Executive Secretary reported to the Board as follows:

1. That at its August 28, 1968 meeting the Board had considered the handling of special commitments by the communities concerned, including the donation of the land involved, and no objection had been raised to such voluntary commitments, should any be made;
2. That subsequent to this Board meeting, Perkins & Will had advised the Board Office by letter (9/13/68) of its "very strong desire to keep the 'commitments'

out of the way of our professional evaluation of the sites for the proposed institution";

3. That he had met with the consultants and the city representatives in September regarding the ground rules for the final surveys and that the cities had volunteered to accept the costs involved;
4. That the criteria for site evaluation, including costs to be borne by the communities, had been drawn up by Perkins & Will and discussed in detail with the Board Office prior to any field work, and that the Board Office had not objected to the proposed allocation of the costs here involved;
5. That to insure equality of treatment, costs were divided equally among the communities concerned;
6. That Perkins and Will had informed him there was at no time during the surveys or afterward any objection by the communities to bearing these costs;
7. That the representative of Harlan during these site evaluations, Mr. H. S. Vanderlinden, now states that in his opinion there is no question of ethical conducts involved, and that the consultants had been entirely professional, non-committal and unwilling to accept even a free lunch.

In view of these findings and of the Attorney General's opinion, it was the consensus of the Board that nothing further could be done, that it had inadvertently been party to the proceedings, and that the proposed referral to professional examiners appeared to be out of order. With the consent of his second, Mr. Wallace thereupon withdrew his motion.

REPORT ON MEETING OF SPECIAL EDUCATION COORDINATING COMMITTEE. Mr. Perrin, who is a member of this Committee, reported on the Committee's first meeting held on December 30, 1968 in the Board Office. He stated that the meeting had been primarily informational in nature, with each member commenting on the responsibilities of his organization regarding education of the visually handicapped. Regent plans for the Iowa Braille and Sight Saving School, he

said, had been approved by the other agencies and all of them had expressed their willingness to assist in implementation, particularly as regards the broad areas of evaluation and educational opportunity. He said that the Board had reason to be optimistic concerning the effective functioning of this Committee. He expressed surprise over the number of visually handicapped students in the public school system (306) and indicated a broad area for cooperation with the Department of Public Instruction. He stated that a few members of the Committee did not appear particularly impressed with the plans for Vinton, but that he was hopeful about the Committee's capability and future. He informed the Board that in implementing present plans for Vinton, the Board would be moving in a new direction and charting a new course, since no currently existing school functions along the advanced lines contemplated for the Vinton school.

COORDINATING COUNCIL FOR POST HIGH SCHOOL EDUCATION. The Executive Secretary referred to the position papers of the Council as contained in its publication "Issues and Problems in Higher Education in Iowa" and named those on which the Board had taken action. The President pointed out that there was no requirement to take action on each and every position. Several members felt that Board action should be taken on "Future System of Higher Education - Organization" (page 15 of cited publication) since this item affected the future of the Coordinating Council.

The position paper in question contains three introductory paragraphs followed by five proposed actions. Board discussion involved the third introductory paragraph (which recommended the addition of six lay members to the Council) and the fifth proposed action (which recommended that the Council be permitted to recommend to the Legislature the apportionment of appropriations among

constituent members).

Question was raised as to what the addition of lay members would add in the way of expertise since subjects considered by the Council are usually complex and technical. One opinion was expressed that such additions would be in line with the national trend toward lay governance Boards in higher education. Resistance to the idea that the Council should recommend dollar apportionments was expressed by several members on the grounds that the Council was not yet sufficiently mature and not staffed to undertake the detailed financial analysis which such recommendations would presume. This function was recommended as a goal toward which the Council should strive rather than as a present capability.

Contrary opinion held that the Coordinating Council is the only body which can make such recommendations, that the Interim Committee had, in fact, asked for such assistance, and that the Council was at a point in its existence when it needed the infusion of specific authority if the State was to avoid formation of a "Super Board".

A suggestion that the Council might recommend percentage rather than dollar apportionment was rejected by majority opinion on the grounds that any fixed formula would be an unwise approach.

MOTION:

Mr. Wolf moved that the Board adopt the position of the Coordinating Council on "Future System of Higher Education - Organization" with two exceptions:

1. That the subject of lay membership be further studied;
2. That the matter of apportionment of appropriations be further studied during the coming year so that alternate proposals may be developed and considered by the Council.

The motion was seconded by Mr. Perrin.



In subsequent discussion the thought was expressed that adoption of this motion constituted a move toward a "Super Board". One member expressed himself as opposed to the concept of a "Super Board" and opposed to the relinquishment of any Board authority. Question was also raised as to whether approval of the motion might constitute indirect approval of the idea of appropriation apportionment by the Council.

**AMENDMENT:**

With the approval of his second, Mr. Wolf amended his motion so that (2) above would request the Coordinating Council to eliminate any reference to apportionment of appropriations, and also to add

3. The word "major" be inserted before the word "legislation" when listing matters which should be referred to the Council before decisive action.

In voting on the amended motion, the votes were recorded as follows:

AYE: Wolf, Perrin, Redeker  
 NAY: Richards, Wallace, Loudon, Quarton  
 ABSENT: Loss, Rosenfield  
 The motion failed.

Subsequent to the above vote several members expressed the desire that the minutes show the vote does not indicate opposition to the Coordinating Council.

**MOTION:**

Mr. Wallace moved that the Board adopt the first two paragraphs of the Coordinating Council position under discussion. The motion was seconded by Mr. Richards and passed unanimously. The adopted position reads as follows:

The future of the Council depends in large part on the willingness of the various segments of higher education in Iowa, as well as the individual members, to step outside their particular interests and be concerned for all higher education within the state. This first year of the Council, especially prior to and during the coming legislative session, will be the most critical period. If the state can be spared from an unwarranted expansion of post high school institutions and an unhealthy competition among existing institutions and, at the same time, be provided

ample educational opportunities for young people, then both the state and particular colleges or universities will be served best.

The primary motive of each segment represented in the Council must not be for the particular welfare of that segment. All segments must scrupulously consider the sound development of the system as a whole or the state should seek other methods of planning and coordination. On the basis of one year's experience the Council recommends continuation of its work.

#### Tuition Equalization

The Board considered a position paper adopted by the Coordinating Council on December 5, 1968, containing a proposal that the General Assembly establish a State Tuition Grant Program. In view of its action of November 15, 1968, supporting the concept of tuition equalization grants, the Board determined that no further action was required on the current paper.

EQUAL OPPORTUNITY EMPLOYMENT POLICY. Dr. Bowen presented a revised draft of a policy statement on the above subject, designed to give specific guidance to the universities in the implementation of the Regents Code of Fair Practices as it pertains to contracts and contracting (Procedural Guide, par. 8.01 (G)). He stated that this had been discussed with the other institutions. Discussion ensued regarding the meaning of specific phrases and several word changes were made. The revised policy, as adopted, is attached to and made part of the official minutes of this meeting.

MOTION: Mr. Wallace moved that the Equal Opportunity Policy statement be adopted, as revised. The motion was seconded by Mr. Wolf and passed unanimously.

Subsequent to the above motion several members emphasized the importance of meeting with such groups as the Iowa Civil Rights Commission, the Master Builders of Iowa and other employer groups to explain Regent actions

regarding fair employment practices and to emphasize that there is no intent to indict contractors and no presumption that a contractor is guilty until proven innocent. In answer to a question as to when such meetings would take place, the Board was informed that the institutions were now concerned with the internal coordination of procedures. When this is completed, meetings with external groups will be scheduled, probably at an early date. Dr. Maucker then suggested that there is need of a formal inter-institutional committee on Equal Opportunity. The Executive Secretary agreed, stating that he needed a single point of contact on such matters.

MOTION: Mr. Wolf moved that the matter of the formation of an Equal Opportunity Committee be referred to the Presidents Committee for recommendation to the Board. The motion was seconded by Mr. Wallace and passed unanimously.

#### REGENTS LEGISLATIVE PROGRAM, 63rd G.A.

##### Installment Purchase of Real Estate

At its December meeting, the Board considered a request that its legislative program include a revision of the Code of Iowa to provide for installment purchase of real estate by the State Board of Regents. The Board requested its attorneys to prepare such legislation for Board approval. The proposed legislation is shown below.

MOTION: Mr. Wallace moved that the Bill shown below be included in the Regents Legislative Program for the 63rd G.A. The motion was seconded by Mr. Richards. In the absence of any objection the President declared the motion passed.

##### A BILL FOR

An Act to amend Chapter 262 of the Code of Iowa to specifically authorize installment purchases of real estate by the State Board of Regents.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section two hundred sixty-two point ten (262.10) Code 1966 is hereby amended by adding thereto the following: Purchases may be made on contracts for payment over a period of years but the obligations thereon shall not constitute a debt or charge against the State of Iowa nor against the funds of the Board or the institution for which said purchases are made. Purchase payments may be made from capital or operating funds or any other funds available therefor and allocated to such use by the Board for any fiscal year. In event of default, the only remedy of the seller shall be against the property itself and the rents and profits thereof and in no event shall any deficiency judgment be entered against the State of Iowa, the Board or any of the institutions governed by it.

#### Trusts and Estates

Board members inquired about the status of proposed legislation which would permit unlimited charitable and educational bequests, as against the current restriction to one-quarter of an estate when direct descendants exist. A position favoring such legislation has been approved by the Coordinating Council and adopted by the Board at its November, 1968 meeting. The Board Office was instructed to check with the Iowa Association of Private Colleges and Universities and to take any other action necessary to insure the introduction of such legislation to the 63rd General Assembly.

EVALUATION VISITS BY ACCREDITING ASSOCIATIONS. The Board had previously inquired as to whether it was receiving reports of evaluation visits to its institutions by accrediting associations. UNI advised that it had reported orally regarding a 1964 visit by North Central Association; SUI that all such reports are forwarded to the Board; ISU that it had not in the past referred such reports but would be happy to do so. Board members felt that such reports would be useful to the Board Office since some points therein might influence Board policy. The President requested that the institutions submit such evaluation reports to the Board Office as a matter of general policy.

EFFECT OF SELECTIVE SERVICE REGULATIONS ON ENROLLMENTS. Mr. Wolf had heard that 40% of the Freshmen in the University of Iowa Law School were to be drafted by September and asked the institutions to report since such a situation, if true, might justify budget revisions. SUI reported an expected 7% to 8% loss of current graduate students and a  $12\frac{1}{2}\%$  loss in the Law School; UNI reported no significant expected losses; ISU stated they were definitely affected but were still examining the specific extent. All institutions reported that there was also a return flow of discharged veterans, so that the situation was in relative equilibrium and little basis existed for revising enrollment estimates.

PROPOSED REVISION OF CONTRACT WITH PAUL D. SPEER - Financial Consultant. The 1966 contract of the Board's financial consultant, Paul D. Speer, expires on June 30, 1969. Mr. Speer has suggested in a letter to the Board that his contract be extended to June 30, 1972, and that after January 1, 1969 his compensation be \$5,000 for each sale of bonds plus  $1/10$  of 1% of the par value thereof. Under the present augments he receives a minimum fee of \$5,000 plus  $1/20$  of 1% of par value in excess of five million dollars, there being no calculation on the first five million dollars. The net effect of his proposal, based on payments to him during the last two years, would be to increase his compensation approximately 50%. Some Board members expressed the feeling that there was little justification for an increase of this magnitude.

MOTION:

Mr. Quarton moved that the President of the Board be authorized to negotiate a renewal of the contract with Paul D. Speer, under the best terms possible, for subsequent approval by the Board. The motion was seconded by Mr. Wallace and passed unanimously.

ANNUAL CONFERENCE - AMERICAN ASSOCIATION FOR HIGHER EDUCATION. This conference will be held in Chicago, March 2-4, 1969 and will be concerned with many issues vital to higher education. The Executive Secretary requested permission to attend if time permits, and also requested that any Board members intending to go notify the Board Office by the end of January.

MOTION: Mr. Richards moved that the Executive Secretary or any Board members desiring to do so be authorized to attend the Annual Conference of the American Assoc. for Higher Education, March 2-4, 1969 in Chicago. The motion was seconded by Mr. Wolf. In the absence of any objection, the President declared the motion passed.

EXTENSION OF THANKSGIVING HOLIDAY. Dr. Bowen requested that the Friday after Thanksgiving be made a paid holiday for University of Iowa employees effective with the 1970-71 year. This would bring to eight the number of paid holidays as against ten for State employees and seven to ten for employees in the Iowa City area. The Presidents of the other institutions supported this request, which originated with the Council on Teaching and is also supported by the University Staff Council.

MOTION: Mr. Loudon moved that the Friday after Thanksgiving be made a paid holiday for employees of all three Regent universities. The motion was seconded by Mr. Perrin. In the absence of any objection the President declared the motion passed.

EXECUTIVE SESSION. Upon unanimous vote of the Board members, the Board went into Executive Session at 2:45 at the request of the President for the purpose of discussing a real estate matter at the University of Northern Iowa and for discussion of two personnel matters. The Board rose at 4:50 p.m.

NEXT MEETINGS.

February 13-14, 1969  
March 13-14, 1969  
April 10-11, 1969  
May 8-9, 1969  
June 26-27, 1969

Board Office  
ISU  
UNI  
ISD  
SUI

Des Moines  
Ames  
Cedar Falls  
Council Bluffs  
Iowa City

STATE UNIVERSITY OF IOWA

The following business pertaining to the State University of Iowa was transacted on January 9, 1969:

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for December, 1968 were reported to be in order and these actions were ratified by the Board.

CHANGE IN APPOINTMENT AND SALARY. The following change in appointment and salary was ratified by the Board:

James L. Spratt, Associate Professor, Department of Pharmacology and Medicine Administration, College of Medicine; appointment to be changed to Associate Professor and Associate Dean, College of Medicine, effective January 1, 1969, with salary increase from \$20,370 to \$24,500 payable as follows:  
Account J674 - \$9,750/X760 - \$9,750/Z678 - \$870/Z660 - \$4130.

REQUEST FOR EXTENSION OF THANKSGIVING HOLIDAY. This item was treated under the General Docket.

REPORT ON PROFESSIONAL DEVELOPMENT LEAVES. At its March, 1968 meeting, the Board requested an annual report of research assignments and professional development leaves including an estimate of the cost involved. The University reported that research assignments for 1969-70 will involve 19 members of the faculty at a cost of \$187,139. It was also reported that the North Central Association had observed during its visit in February, 1968 that the University's leave program appeared to be "unusually limited" for an institution of Iowa's stature. In response to a question from a Board member, Dr. Bowen reported that the North Central Association was comparing



the University of Iowa with similar schools, particularly Big Ten Universities.

REQUEST FOR CHANGE IN ADVANCE TUITION AND FEES PAYMENT POLICY. The University submitted a revised policy statement on file in the Board Office, containing minor changes with respect to the policies affecting students being admitted to Dentistry, Medicine, Law and the Graduate College. These involved dates by which such advance payments must be made and conditions under which refunds are granted. No changes in fees were involved.

MOTION:

Mr. Wallace moved that the proposed changes in advance tuition and fee payment policy be approved. The motion was seconded by Mr. Perrin. In the absence of any objection, the President declared the motion passed.

REPORT ON RECREATIONAL FACILITIES. In response to a request made at the December Board meeting, Dr. Bowen submitted a detailed report on the plans, programs, progress and funding of recreational facilities at the University. This material was requested in order to answer a letter from Mr. William Kozar, Chairman of the Graduate Student Senate Recreational Facilities Committee which alleged that student and faculty use of the new building would not be great enough to justify the use of student fees to pay for it. Dr. Bowen's report outlined the long-range plans for recreational facilities and the status of their implementation. It pointed out that the plan constitutes a unified whole and that changes in any one part of it will necessitate changes in the others. Without understanding of the comprehensive program, the function of individual elements is less meaningful and this sometimes leads to misunderstandings about the plans for individual new recreational facilities. The program is large and complex and representatives of both students and

faculty have participated fully in policy and program planning. The report concluded with a statement by Dr. Bowen that "I am satisfied that this program has been developed with extreme regard for the interests of students and I can assure them that the same care will be given to its implementation." Question was asked as to whether the solution to the Recreation Building situation might lie in a student committee for the building similar to the student committee now concerned with the Memorial Union. Dr. Bowen replied that one of the problems of the recreational program at the moment is that a number of departments control a good many individual recreational programs. There would thus appear to be very little merit in establishing another committee. Dr. Bowen said he felt that the Recreation Committee was doing a good job, that it has student representation, and that there is ample opportunity for the expression of student opinion. The Board Office will reply to the letter from Mr. Kozar enclosing a copy of the recreational facilities report submitted by the University.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Executive Secretary reported that the Register of Capital Improvement Business Transactions had been filed with him; that it appeared to be in order; and that the following two (2) contract awards were recommended.

Footbridge

Schmidt Construction Co., Inc., Winfield, Iowa

Base Bid \$167,700  
Less Alternate \$ 3,400  
Net Bid \$164,300

Replace Emergency Electrical System General Hospital

Fandel, Inc., Cedar Rapids, Iowa

\$ 11,426

In the absence of any objection, the President declared the Register approved.

RECREATION BUILDING AND AUDITORIUM - SELECTION OF BOND AUDITORS. The University recommended the selection of the Iowa City firm of McGladrey, Hansen, Dunn & Company as bond auditors for the Recreation Building and the Auditorium.

This action followed a December request by the Board that these audits be referred to Iowa firms.

MOTION:

Mr. Quarton moved that McGladrey, Hansen, Dunn & Company of Iowa City be selected as bond auditors for the Recreation Building and Auditorium. The motion was seconded by Mr. Wallace. In the absence of any objection, the President declared the motion passed.

JOHN F. MURRAY ENDOWMENT FUND. The University reported changes in the investment portfolio of this fund for the quarter ending 12/31/68. These consisted of short-term purchases of treasury bills which yielded a net income of \$163.24.

MELROSE TOWERS - PEIFFER - MACKENZIE DISPUTE. The Board considered a letter from the University attorney to the University business officer recommending that the Regents authorize the University to implead the parties of Peiffer and MacKenzie into Court to settle a two-year dispute between them concerning work done on Melrose Towers. As a sub-contractor to Peiffer, MacKenzie claims that \$57,000 is owed to him. This amount has been withheld by the University from its payment to Peiffer plus an additional \$16,000 as a cushion against any interest charges or costs which might be incurred over and above MacKenzie's original claim. There has been no agreement on this matter between the principals in two years and no progress is in sight. Mr. Jolliffe

recommended that the Board start impleader action in order to clear this item from the University books.

MOTION: Mr. Wolf moved that the Board authorize the University to start impleader action in the MacKenzie-Peiffer case. The motion was seconded by Mr. Wallace. The votes were recorded as follows:

AYE: Redeker, Wolf, Wallace  
NAY: Louden, Richards, Quarton  
ABSENT: Rosenfield, Loss  
PASS: Perrin

The motion failed.

ADMINISTRATION BUILDING I - 63rd G.A. The Board was informed that this building is included in the list of building needs for the 1969-71 biennium and that programming has progressed to the point where an architect should be employed. The University requested authorization to select an architect and propose a contract for architectural services for preliminary planning. Current planning funds would be used to cover the cost. In answer to a question as to what priority this building occupied, the Board was informed that it was listed 11th. The ten buildings above it on the priority list would require approximately 23 million dollars to construct. Question was then raised as to whether planning for these ten had already been accomplished. The Board was informed that planning for only one of them had been completed.

MOTION: Mr. Wallace moved that the University be authorized to employ an architect for the preliminary planning on Administration Building I. The motion was seconded by Mr. Perrin and passed.

REQUEST TO PARTITION SUPREME COURT CHAMBER IN OLD CAPITOL BUILDING. Dr. Bowen requested permission of the Board to install temporary partitions in the Old Capitol room now used for Board meetings and formerly the Supreme Court Chamber.

He stated that these partitions would in no way prevent restitution of the chamber at a later date, but that they would provide much needed office space. Some Board members expressed themselves as not wishing to see a building of this grace further disfigured. One member stated that Old Capitol is one of the few buildings in Iowa possessing real character and that tampering with it would establish a most undesirable precedent. The feeling was also expressed that once such a change is accomplished, it will probably never be reversed.

## MOTION:

Mr. Richards moved that permission be denied the University of Iowa to modify in any manner the structure of Old Capitol and the area of said building known as the Supreme Court Chamber and further that the University of Iowa shall not hereafter modify said structure in any manner without the express approval of the Board of Regents. The motion was seconded by Mr. Quarton.

In the discussion which followed, one Board member pointed out that there are many buildings in Iowa which undoubtedly deserve preservation for historical reasons and that selecting one over the others was a somewhat inconsistent procedure. Another member stated that the motion as given went too far and could be construed as preventing any modification whatsoever of any type, including the installation of a window fan. Contrary opinion held that this building was the territorial capitol as well as the state capitol and that it is therefore not a University building in the true sense of the word. In voting on the motion the votes were recorded as follows:

NAY: Redeker, Wolf

AYE: Richards, Quarton, Wallace, Loudon, Perrin

ABSENT: Rosenfield, Loss

The motion passed.

MEDICAL STUDENT LOAN PROGRAM. Regent Quarton commented on the inadequacy of the present loan program under which medical students at the University

of Iowa may borrow approximately \$500 per year as against some \$1500 to which students at the School of Osteopathic Medicine in Des Moines are entitled. The Executive Secretary who is a member of the Higher Education Facilities Commission reported that the Commission had studied this matter and had recommended to the Governor that a loan of approximately \$2000 per year for any medical student would be much more apt to accomplish the objective of the program which is to keep physicians in Iowa. He stated that the costs of such an equalized program had also been transmitted to the Governor. Regent Quarton suggested that the University of Iowa might make a survey to show that the current \$500 per year grants to medical students at the University are not adequate to accomplish the purposes of the program. Dr. Bowen stated that the University would be most willing to do this.

## IOWA STATE UNIVERSITY

The following business pertaining to Iowa State University was transacted on January 9, 1969:

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for December, 1968 were ratified by the Board.

RESIGNATION. It was reported that Alberta D. Hill, professor and head, Department of Home Economics Education, College of Home Economics, had resigned effective August 31, 1969 to accept a position at Washington State University.

CHANGES IN APPOINTMENTS. The following changes in appointments were approved by the Board:

1. Emerson W. Shideler, professor of philosophy, College of Sciences and Humanities, to professor and chairman, Department of Philosophy, College of Sciences and Humanities, salary as budgeted, 1969-70, twelve months' basis, plus annuity, effective July 1, 1969. The appointment as chairman will be effective July 1, 1969 through June 30, 1972.
2. Ross B. Talbot, professor of government, College of Sciences and Humanities, to professor of political science and chairman, Department of Political Science, College of Sciences and Humanities, salary as budgeted for 1969-70, twelve months' basis, plus annuity, effective July 1, 1969. The appointment as chairman will be effective July 1, 1969 through June 30, 1972.
3. William W. Whitman, assistant director, Physical Plant Department salary \$12,400, twelve months' basis, plus annuity, to acting director, Physical Plant Department, salary \$15,000, twelve months' basis, plus annuity, effective December 18, 1968.

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Executive Secretary reported that the Register of Capital Improvement Business Transactions had been filed with him; that it appeared to be in order; and that the following three actions regarding the addition to East Hall were recommended for approval:

1. Award Construction Contracts Totaling \$1,693,137

General - James Thompson & Sons	\$1,184,690
Mechanical - A.J. Allen Plbg & Htg	343,247
Electrical - Johnson Electric	104,700
Elevator - Kimball Brothers	60,500

In the absence of objection, the President declared the contract awards approved.

2. Approve the Following Revised Project Budget:

EXPENDITURES:	Approved <u>10/15/68</u>	<u>Revised</u>
Construction	\$1,440,000	\$1,693,137
Site Improvements & Utilities	85,000	70,000
Architect's & Engineer's Fees	68,000	78,005
Resident Inspection	10,000	10,000
Preliminary site work, borings, etc.	1,500	1,500
Legal and Administrative		3,000
Built In Equipment	20,000	
Movable Equipment	133,690	133,690
Contingencies	<u>73,000</u>	<u>34,668</u>
	\$1,831,190	\$2,024,000

SOURCE OF FUNDS:

61st GA	\$ 900,000	\$ 900,000
62nd GA	100,000	100,000
Title I	156,787	156,787
Title II	428,627	428,627
Transfer from 61 & 62 GA Capital Appropriations	245,776	418,000
Estimated Tax Refunds		<u>21,586</u>
	<u>\$1,831,190</u>	<u>\$2,024,000</u>

In the absence of objection, the President declared the above revised project budget approved.



3. Pass the following resolution:

RESOLUTION

WHEREAS, The Board of Regents of the State of Iowa has been empowered by the Iowa Legislature to allocate appropriated funds for capital improvements (H.F. 707, 61st G.A. and H.F. 747, 62nd G.A.), and,

WHEREAS, there exists sufficient uncommitted funds to allocate \$375,000 from the 61st G.A. appropriation and \$43,000 from the 62nd G.A. appropriation, therefore, be it

RESOLVED, that the above stated amount of funds from the above stated sources be allocated to the East Hall Addition project (HEW project numbers 2-6-00034-0 and 4-6-00034-0) in addition to sums previously allocated for this project which will then provide adequate funds to meet the project budget as approved by the Board of Regents on January 9, 1969.

MOTION:

Mr. Wolf moved that the Board adopt the Resolution as set out above. The motion was seconded by Mr. Loudon. Roll being called, the votes were recorded as follows:

AYE: Redeker, Wolf, Perrin, Loudon,  
Wallace, Quarton, Richards

NAY: None

ABSENT: Rosenfield, Loss

The motion was passed.

UNIVERSITY OF NORTHERN IOWA

The following business pertaining to the University of Northern Iowa was transacted on January 10, 1969:

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for December, 1968 were ratified by the Board.

PURCHASE OF NORTH AMERICAN REVIEW. At its December meeting, the Board had authorized the University to further study all aspects of the proposed purchase of this magazine from Cornell College at a price of \$10,000. The University recommended the purchase in accordance with terms stated in a letter to the University from its attorney, Leo Baker, which letter is on file in the Board Office. One stipulation in the letter is that the purchase would be specifically subject to three existing royalty contracts. Two with A.M.S. Reprint Company of New York City, New York and one with University Microfilms, a subsidiary of Xerox Corporation. The President reported that the faculty had already collected 125 subscriptions and donations amounting to \$2,700. He further stated that Cornell College would assist UNI in obtaining a matching grant of \$3,000 from the Coordinating Council of Literary Magazines in Washington, D.C. Some members expressed hesitation about the purchase stating they were not sure what the Board was buying. They were informed that the Board was purchasing a copyrighted name, back issues of the magazine to 1906 and a prorated share of current subscriptions. It was further pointed out that the publication of this magazine on the UNI campus would undoubtedly act as a scholarly stimulant to all of the faculty and students. The purchase would allow the faculty to participate in the production of scholarly pieces rather than simply to read such pieces produced by others. It was further stated that perhaps the principal value of such

a publication is intangible, lies in the intellectual field and cannot be specifically measured. The President stated that financing would be accomplished through use of a revolving fund and that in this sense, state funds were involved, but not appropriated funds, which if unused must revert to the state at specific times.

## MOTION:

Mr. Wallace moved that the University of Northern Iowa be authorized to purchase from Cornell College the magazine known as North American Review subject to the conditions listed by the University Counsel in the aforementioned letter. The motion was seconded by Mr. Wolf. Roll being called, the votes were recorded as follows:

AYE: Redeker, Wolf, Wallace, Quarton, Perrin  
NAY: Richards, Loudon  
ABSENT: Rosenfield, Loss

The motion was passed.

MARRIED STUDENT HOUSING. The Board considered a request from the University for approval of a preliminary budget of \$4,100,000 and for authority to negotiate for an architect to begin a program for the construction of permanent married student housing at the University. Board concern on this matter centered around two points. The first being the source of funds which the University indicated would be through sale of revenue bonds. Question was raised as to whether the University had considered funding from cash on hand rather than from sale of bonds, or whether surplus funds could be used temporarily so that bonds might be sold later at a possibly lower rate. The Board Office pointed out that the improvement fund and the surplus fund together currently contained more than enough to fund the total cost of the project. The second point of concern was whether the University proposed to build as competitively as possible. In the University proposal 135 units would cost approximately \$10,000 each and would rent for

\$100 per month. The remaining 165 units would cost \$11,700 each and would rent for \$110 per month. Board members felt that more austere construction resulting in lower rents would insure better tenancy since the longest waiting lists are for the cheapest rentals at all the universities. The Hawkeye III Apartments at Iowa City were mentioned as an example of the type of economical construction which UNI might wish to consider.

MOTION: Mr. Louden moved the approval of the married student housing project except for the source of funds involved and also moved that UNI be authorized to negotiate for an architect to conduct preliminary planning along the lines discussed above by the Board. The motion was seconded by Mr. Perrin.

After considerable further discussion, Dr. Maucker suggested that it might be well for the University to withdraw this project and reconsider it along the lines which had been discussed. With the approval of his second, Mr. Louden then withdrew his motion.

MOTION: Mr. Wallace moved that the married student housing project be restudied by UNI and resubmitted and that serious consideration be given to the use of surplus funds rather than bonds as a source of funding for the project. The motion was seconded by Mr. Perrin and passed unanimously.

UNDERPASS UNDER HIGHWAY 58. The University requested authority to have the Highway Commission include in the contract for the widening of Highway 58 the provision of a pedestrian underpass. The project was reported to cost approximately \$25,000 with all planning and construction to be done by the Highway Commission. The University reported that funds in this amount were available from Treasurer's interest earnings on temporary investments.

MOTION: Mr. Quarton moved that the University be authorized to request the Highway Commission to include an underpass under Highway 58 as part of the contract for widening of said highway and to expend approximately \$25,000 for this work. The motion was seconded by Mr. Perrin. In the absence of comment or objection, the President declared the motion passed.

STEAM MAIN TO PHYSICAL EDUCATION BUILDING. The University submitted a revised budget for this project showing an increase of \$36,000 over the original budget approved June 14, 1968. It was proposed that this addition be funded by transfer from the Physical Education Exterior Activity Areas. The current and revised budgets are shown below.

MOTION: Mr. Loudon moved that the revised project budget for the Steam Main to the Physical Education Building be approved including the indicated change in source of funds. The motion was seconded by Mr. Wallace. In the absence of any comment or objection, the President declared the motion passed.

## REVISED PROJECT BUDGET

	<u>Original</u>	<u>Revised</u>
EXPENDITURES:		
Construction	\$214,000	\$248,000
Engineering	12,840	14,880
Supervision & Physical Plant work	2,000	2,000
Contingencies	<u>11,660</u>	<u>11,620</u>
	\$240,500	\$276,500
SOURCE OF FUNDS:		
62nd G.A.	\$158,000	\$158,000
Estaimted Federal Grant	82,500	82,500
Transfer from Physical Education Exterior Activity Areas project due to favorable bids		<u>36,000</u>
	<u>\$240,500</u>	<u>\$276,500</u>

REGISTER OF CAPITAL IMPROVEMENT BUSINESS TRANSACTIONS. The Executive Secretary reported that the Register of Capital Improvement Business Transactions had been filed with him; that it appeared to be in order; and that the following contract awards were recommended for approval:

Physical Education Building Unit I

General - John G. Miller Construction Co., Waterloo, Iowa	\$914,650.00
Mechanical - Young Plbg & Htg, Waterloo, Iowa	257,800.00
Electrical - Fandel Electric, Cedar Rapids, Iowa	114,411.00
Laundry - AMETEK, Inc.	<u>10,636.81</u>
	\$1,297,497.81

Bids were received on three other elements of the Physical Education Building Unit I - Flooring, Lockers and Curtains - and were rejected by the Board.

MOTION:

Mr. Wallace moved that the Board approve the Register of Capital Improvement Business Transactions and authorize the Executive Secretary to sign the contracts listed above. The motion was seconded by Mr. Perrin. In the absence of comment or objection the President declared the motion passed.

IOWA SCHOOL FOR THE DEAF

The following business pertaining to the Iowa School for the Deaf was transacted on January 9, 1969:

REGISTER OF PERSONNEL CHANGES. The actions reported in the December, 1968 Register of Personnel Changes were ratified by the Board.

REGISTER OF CAPITAL IMPROVEMENTS BUSINESS TRANSACTIONS. The Executive Secretary reported that the Register of Capital Improvements Business Transactions had been filed with him; that it appeared to be in order; and that no contract awards were recommended. In the absence of questions or objections, the President declared the Register approved.

OFFER TO PURCHASE LAND. The School reported that it had received an offer from Mr. Ben Sieck to purchase a parcel of land of approximately two acres lying between highways 92 and 375 now owned by Iowa School for the Deaf. It was further reported that Mr. Sieck had offered to purchase this land in October, 1966 at no stipulated price. In April, 1968, Mr. Sieck again offered to purchase the land at a price of \$5,000. Mr. Sieck has now made an offer to purchase the land for \$15,000. The School recommended that the offer made by Mr. Sieck be rejected and that the land be open to offers from interested parties, and if an offer of \$30,000 or more is received, that further consideration will be given to sale of this land. In answer to a question, the Superintendent reported that his access to this particular piece of land is presently through land owned by Mr. Sieck. The Board felt that the question of access was paramount in this case and that if no access from public highways were possible then it might well be that Mr. Sieck is the only logical purchaser. The Board directed that action be delayed on

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the offer to purchase this piece of land until ISD and the Board Office can determine whether any other access to the land is possible other than across property now owned by Mr. Sieck.



IOWA BRAILLE AND SIGHT SAVING SCHOOL

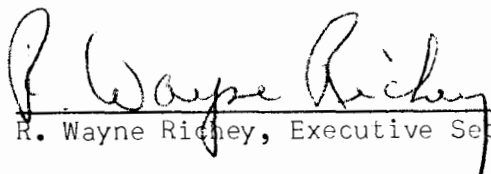
The following business pertaining to the Iowa Braille and Sight Saving School was transacted on January 10, 1969:

REGISTER OF PERSONNEL CHANGES. The actions reported in the Register of Personnel Changes for December, 1968 were ratified by the Board.

REGISTER OF CAPITAL IMPROVEMENTS BUSINESS TRANSACTIONS. The Executive Secretary reported that the Register of Capital Improvements Business Transactions had been filed with him; that it appeared to be in order; and that no contract awards were recommended. In the absence of objection, the President declared the Register approved.

PROGRESS REPORT ON FIRE MARSHALL'S RECOMMENDATIONS. The Board received a brief report from the Business Manager stating that 9 of the 14 items recommended for correction in the Biennial Fire Inspection Report had already accomplished and gave the status of the 5 remaining recommendations. It was further reported that the Fire Marshall had arrived in Vinton on January 7, 1969 to make a detailed inspection and report on the safety conditions listed in the evaluation report of IBSSS made by three out-of-state educators of the blind in July, 1968. The report of the Fire Marshall will be transmitted to the Board as soon as received.

ADJOURNMENT. The Board of Regents adjourned at 11:30 a.m., Friday, January 10, 1969.

  
R. Wayne Richey, Executive Secretary

EQUAL OPPORTUNITY POLICY  
Adopted by State Board of Regents  
January 9, 1969

1. Policy for Universities.

a. All contractors, including suppliers, supplying goods or services to the university, regardless of where located or the form of contractual relationship, are expected to comply with the spirit of equal opportunity employment, as well as with the letter of all applicable statutes and regulations. Compliance shall require contractors not to discriminate and, in addition, to take reasonably affirmative action to ensure that members of minority groups are effectively afforded equal employment opportunities.

b. Compliance shall be determined by a comprehensive review and evaluation of a contractor's employment policies and practices and shall depend on an analysis of all relevant factors, including the following:

1. The contractor's publicly stated and posted policy regarding equal opportunity employment.
2. The contractor's external dealings with unions, employment agencies, newspapers, and other sources of employees.
3. The methods by which and places where the contractor seeks to recruit employees.
4. The contractor's use of tests and qualifications for positions which are job related and not culturally biased.
5. Classification and compensation plans which apply equally to all employees.
6. Training programs which provide minority-group members with an equal opportunity to qualify for employment and advancement.

7. The contractor's participation in special programs designed for hardcore unemployed.
8. The effectiveness of the contractor's affirmative action program as evidenced, in part, by the number or percentage of minority-group employees at all levels, taking into account the geographical location of the contractor's work force.

c. The judgment regarding compliance shall be favorable if it appears that the contractor is not discriminating against minority-group persons and is working affirmatively toward extending opportunities for such persons. Contractors must be able to demonstrate to the university's satisfaction that they are taking affirmative action.

d. Since the purpose of the program is to open up opportunity for and eliminate discrimination against members of minority groups, the emphasis in the administration of the policy shall be to encourage improvement by contractors in their employment practices, while at the same time requiring compliance, so as to provide effectively equal opportunities in employment for all persons.

e. The three universities shall develop common guidelines and general procedures and shall exchange pertinent information. They shall also cooperate to minimize duplicative reporting required of contractors. For these purposes, an interinstitutional committee on equal opportunity shall be established.

## II. Guidelines for Administration of Policy by Universities.

a. Contractors shall be sent an informative statement explaining the regents' equal opportunity policy before, or at the time of, the next contract or

purchase order. In the case of construction contracts, the statement will become part of the general conditions and bid specifications. This statement will announce that a condition of doing business with the university is compliance with the equal opportunity policy. The statement will indicate the intention to be fair and to avoid harassment and unnecessary red tape, but will be clear and firm about policy and expectations. Contractors shall be informed that they are expected to supply relevant information upon request.

b. Periodic reports will be required of contractors selected by each university on the basis of an impartial selection procedure, such as contracts over a fixed dollar amount, contractors with more than a fixed number of employees, contractors with employees present on the campus, random sampling, or a combination of such factors. The report forms shall be as simple as possible and designed to elicit relevant information about employment practices, including all information requested by the Iowa Civil Rights Commission.

c. Each university will solicit and compile additional information about its contractors from any reliable source, including the other regent institutions, the Iowa Civil Rights Commission, and other state and federal agencies.

d. Each university shall systematically review the reports and all other available information concerning the employment practices of present and prospective contractors. Whenever there is substantial doubt, based on such reports and information, as to whether or not a contractor is discriminating or is failing to take affirmative action in compliance with the regents' policy, the university shall undertake a compliance review of such contractor.

Every reasonable effort shall be made to secure compliance through conciliation and persuasion. The burden shall be on prospective contractors to demonstrate that they are in compliance and thus eligible for university contracts.

e. Each university will continue to receive written and signed complaints against its contractors from any person aggrieved by a contractor's alleged discrimination. All such complaints will be promptly and thoroughly investigated. The burden shall be on the complainant to prove the truth of his allegations. Cognizance will also be taken of verbal complaints, newspaper reports, and any other legitimate source, and these will be followed up if investigation appears fruitful. Award of contracts will ordinarily be deferred while an investigation is pending, but executed contracts will not be suspended except in compelling situations.

f. If an investigation discloses there is reasonable cause to believe that a contractor has discriminated, or if conciliation has failed to resolve a determination that a contractor is not in compliance, the contractor shall be notified in writing and afforded an opportunity for a hearing before any adverse action is taken. Contractors found guilty of discrimination or otherwise not in compliance may be denied pending contracts or declared ineligible for future contracts, and executory contracts may be suspended, rescinded, or otherwise terminated.

g. The universities shall cooperate with the Iowa Civil Rights Commission, especially by exchange of information on request. The universities may request relevant information from the commission before awarding contracts.

h. An equal opportunity officer shall be appointed for each university. He shall be charged with administration of the equal opportunity program, including the monitoring of compliance and the investigation of complaints.

Hearings shall be conducted by a three-man panel appointed by the president of each university. It is desirable at least one member of this panel be a lawyer. The panel shall submit its findings of fact and conclusions to the chief business officer who shall recommend appropriate action subject to approval of the president. [The panel may also assist the chief business officer, at his request, in reviewing the work of the equal opportunity officer to ensure that compliance is being adequately monitored.] Appeals by contractors shall be made to the president with the possibility of further appeal to the board of regents in accordance with regular board policy.

i. Any adverse action taken by a university against a contractor pursuant to the equal opportunity policy shall be reported promptly to the board of regents.