

Toole lauds separate board of regents proposed under new Constitution

By John Toole

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One of the fundamental components of the proposed new state constitution for education is a separate board of regents of higher education. Higher education is fundamentally different from public school education—in goals, curriculum, financing, control, and operation—and it must be administered accordingly. There is very little in common between the public school system and higher education, other than a shared need to provide a smooth transition for students between the two systems.

A recognition of the particular needs and problems of higher education has led all but two states to establish separate state governing boards for higher education. Montana and Idaho remain the only two states which retain a single board for both public schools and the university system.

Major studies of education in Montana have recommended the creation of two separate boards. The Durham Report on higher education, for instance, described the difficulties of a state board which was unable to deal satisfactorily with both areas of education. As a result of the recommendations of the Durham Report, the legislature passed a law which divided the board into two parts, one of which sits as the state board of education, and one of which sits as the ex officio board of regents. This name-shuffling, however, has done little to alleviate the difficulty inherent in a dualistic board.

In addition to administrative questions, another fundamental reason exists for the establishment of a separate board of regents of higher education. Higher education is not simply another state service; the administrative structure of higher education cannot be considered an ordinary state agency. The unique character of the college and university stands apart from the business-as-usual of the state. Higher learning and research is a sensitive area which requires a particular kind of protection not matched in other administrative functions of the state.

A landmark study of the condition of the American university conducted in the late 1960's under the chairmanship of Dr. Milton Eisenhower under a Ford Foundation grant. The study describes a series of creeping controls on university systems which have appeared in recent years across the country. It warns that, "strict adherence by institutions of higher learning to a bewildering array of centralized bureaucratic controls will ultimately endanger the academic as well as the administrative freedom of the college."

Among the sources of growing controls which increasingly impinge on universities are state budget offices, state auditors, comptrollers, purchasing departments, personnel offices, central building agencies, and a variety of other forms of controls, such as legislative riders, which are being used in new ways to affect colleges

The study concludes that the maintenance of the system of higher

education free from unnecessary bureaucratic and political interference is important not only to a healthy academic atmosphere but also to the administrative efficiency of the system of higher education.

The power to coordinate and operate the system of higher education is one which belongs properly to an informed board of regents who have the knowledge and ability to determine rationally the course of higher education.

In the future there is one point that colleges and universities will need to make to the public and its elected representatives very persuasively. This is simply that the goal of efficiency in higher education can be realized without noneducational officials intervening in the fiscal affairs of colleges and universities.

Two factors in particular add to the efficiency of a university system which is relatively free to control its own affairs: long-range planning and administrative decentralization. There is a clear need for a strong board of regents to make long-range plans which are appropriate to the needs of higher education and free from short-term political whims.

Under the proposed system the board of regents would submit a unified budget to the legislature for action. Competition for funds which now occurs in the legislative halls would be resolved in advance by the board, which would have in mind a broad view of higher education.

Similarly, the board would be in a position with knowledge and authority to eliminate wasteful duplication of courses and other endeavors which now drain university funds. Academic and administrative time which is now wasted in a multi-level budgeting process would be spared. Hard decisions concerning direction and operation of the entire university system could be made intelligently and objectively by such a board.

With these considerations in mind, the new constitution developed the proposal for a board of regents of higher education embodied in Section 11. The proposed board would fulfill the requirements for specialization, freedom, and efficiency described above. The board would be charged with the function of controlling the academic, financial, and administrative affairs of the Montana university system.

The board of regents is also given supervising and coordinating powers over other institutions of higher education may be assigned by law. This division between board powers with respect to university system and other institutions of higher education is of particular importance to community colleges, which presently controlled by local boards. The language leaves flexibility to the legislature to respond to further developments in higher education, membership and terms of the board identical to those of the board of public education; however, in contrast to lower board of regents, the board regents is authorized to appoint its own executive officer.

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