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ESTABLISHING LEGAL BASES FOR COMMUNITY COLLEGES, PROCEEDINGS OF A CONFERENCE SPONSORED BY THE COMMISSION ON LEGISLATION OF THE AAJC (CHICAGO, OCTOBER 20-21, 1961).

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AMERICAN ASSN. OF JUNIOR COLLEGES, WASHINGTON, D.C.

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IMPROVED LEGAL FOUNDATIONS FOR PUBLIC JUNIOR COLLEGES ARE NEEDED IN MOST STATES. BASIC LEGISLATION SHOULD (1) BE PHRASED IN BROAD TERMS, SETTING STATE POLICY AND GENERAL PROCEDURES, (2) ESTABLISH AN AGENCY FOR STATEWIDE ADMINISTRATION AND IMPLEMENTATION OF DEVELOPMENT, SUPERVISION, AND COORDINATION, (3) PROVIDE FOR STATEWIDE AND LOCAL AREA STUDIES, (4) PROVIDE A PROGRAM OF SUPPORT FOR THE COLLEGES AND THE STATE AGENCY. FINANCE PLANS SHOULD BE BASED ON (1) RECOGNITION OF THE IMPORTANCE OF POST-HIGH SCHOOL EDUCATION, (2) REMOVAL OF BARRIERS TO SUCH EDUCATION, AND (3) EQUALIZATION, BASED ON NEED AND ABILITY TO PAY. THEY SHOULD PROVIDE FOR (1) JOINT AGENCY RESPONSIBILITY, (2) BASIC FUNDS FOR AN ADEQUATE PROGRAM, (3) MINIMAL RELIANCE ON STUDENT FEES, (4) ALL NECESSARY ELEMENTS OF A GOOD PROGRAM, (5) STABILITY FROM YEAR TO YEAR, (6) CAPITAL OUTLAY, (7) ACCESS TO BORROWING FOR CAPITAL EXPENSES, (8) JOINT RESPONSIBILITY IN RECORD KEEPING, (9) INDEPENDENCE FROM GIFTS AND DONATIONS, AND (10) FINANCIAL CONTRIBUTIONS FROM STUDENTS' HOME AREAS. PLANS FOR CONTROL SHOULD RECOGNIZE THE (1) INDIVIDUAL CHARACTER OF THE INSTITUTION, (2) POSSIBILITY OF SEPARATION OF FINANCE AND CONTROL, (3) DESIRABILITY OF LOCAL AUTONOMY, (4) TIME REQUIRED OF BOARD MEMBERS, (5) NEED FOR COMMITMENT TO THE INSTITUTION, AND (6) NEED FOR BALANCE BETWEEN STATE COORDINATION AND LOCAL CONTROL. AN AAJC GUIDE TO STATE LEGISLATION AND AN EXAMPLE OF A STATE LAW ARE INCLUDED. (WD)

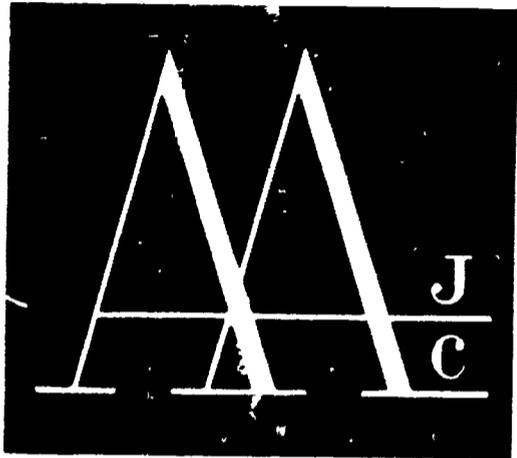
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**PROCEEDINGS OF A CONFERENCE SPONSORED  
BY THE COMMISSION ON LEGISLATION  
OF THE AMERICAN ASSOCIATION OF JUNIOR COLLEGES  
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(1961-1962)  
of the  
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# INTRODUCTION

THE CONFERENCE on Establishing Legal Bases for Community Colleges, held October 20-21, 1961, in Chicago, was sponsored by the American Association of Junior Colleges through its Commission on Legislation. The conference was one of the important service projects of the Association in 1961. A grant from the W. K. Kellogg Foundation has made possible the acceleration of activities of the Association and its commissions.

Underlying these developments is the statement of purpose of the junior college organization:

The junior colleges of America are joined together in the American Association of Junior Colleges to stimulate their professional development and their growth. Representing many different types of institutions, the Association voices the interests of junior college education as a whole.

The Chicago meeting grew out of repeated recommendations and demands for information on approaches to legislative problems. In 1960 the Commission on Legislation met to revise and bring up-to-date a pamphlet, issued ten years before, entitled "Suggested Procedures for Initiating and Developing Legislation for a State Plan for Community Colleges." The Commission called on many authorities for advice and suggestions. It stated its preferences and projected guidelines for the future in regard to financial support, curriculum development, control and other basic aspects of institutional organization. Recognition was given, moreover, to the varied patterns of junior college organization and administration in the different states and regions.

The Chicago conference was called to evaluate, test, and review some of the basic principles enunciated by the Commission.

The urgent need for a national forum for discussion of legal bases for community colleges also was demonstrated by the deluge of inquiries received by the Association from many states in which legislation was being studied or reviewed. Pooling of information and experience seemed essential.

A third factor was a recommendation which came from a conference at the University of California in December 1960. Supported by a grant from the Lilly Endowment, Inc., and co-sponsored by the Center for the Study of Higher Education and the American Association of Junior Colleges, the meeting involved some thirty-five representatives of industry, government and education. These leaders were asked to pool their ideas concerning the current and future role of the two-year college in American education, the major questions and issues pertaining to it, and a possible plan for the continued study and guidance of the two-year college.

Final report of the group, contained in the booklet, *Focus on the Two-Year College*, included the following statement: "It was recognized that more facts are necessary on the educational needs which two-year colleges can meet, on how it may maintain high educational standards, on the problem of developing an appropriate image of the two-year college, on the best ways to finance it and govern it, and on other matters." In a sense, the Conference on Establishing Legal Bases for Community Colleges was a followup to the California meeting with attention directed specifically to sound legislative provisions.

Participants in the Chicago conference met in an atmosphere of candor and honest inquiry. There was recognition that no one person could supply all the answers nor that there is a way of proceeding which will be effective in all situations. However, in view of the rapidly developing role of junior colleges in meeting national educational needs, there was realization of the need for identification of some sound principles upon which there could be substantial agreement and by which legislative proposals could be evaluated and formed.

We believe that the conferees unquestionably isolated and established important principles of direction for legislation. In so doing, they have made a timely and substantial contribution to this nation's educational enterprise.

EDMUND J. GLEAZER, JR., *Executive Director*  
American Association of Junior Colleges

# GUIDELINES for the conference

KENNETH G. SKAGGS, *Chairman*  
Commission on Legislation of the American Association  
of Junior Colleges  
and  
Vice President, St. Petersburg Junior College  
St. Petersburg, Florida

**T**HIS CONFERENCE is a milestone in the work of the Commission on Legislation of the American Association of Junior Colleges. Previous speakers have given you the background and motivation for this conference. The commissioners have worked and are now working to make this meeting an important and meaningful experience for you. We appreciate this opportunity.

We believe that this is an important meeting—important to the nation's progress in education and the broadening of educational opportunity for more and more of its people; important to the states represented here as they evaluate and examine their educational programs, constantly seeking better ways to teach the people whom they service; important to you individually as you exchange ideas, examine new ideas and new procedures, experience new programs and new concepts. We believe, also, that here are gathered several of the most knowledgeable people in our nation concerning junior colleges and the kinds of legislative organization needed to operate them efficiently and satisfactorily. We hope that, from you, will come a record of your thinking, your evaluations, and your discussions that will form a written document to aid others in setting sound guidelines for legislation supporting and governing junior colleges.

We have organized this conference simply, but we hope effectively. There are three main consultants, each of whom has a special presentation that will be presented as directions for study and discussion.

Each conference participant has been assigned to either Group A or Group B. Each group will cover the same ground in discussions. Each group has a chairman, a recorder who will help in preparing the record of the conference which will be placed in your hands later, and several commission members who will act as floor leaders for discussion. The success of the conference will be in the work of the discussion groups and in your desire to discuss, question, evaluate, and comment.

# SURVEYS

## as approaches to establishing legal bases for community colleges

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State and Regional Organization  
Division of Higher Education, U.S. Office of Education  
Department of Health, Education, and Welfare  
Washington, D.C.

**M**OST OF THE PARTICIPANTS in this conference hold full-time positions of major responsibility and leadership in education. Some are professionally engaged in either administering existing community junior colleges; promoting the advancement of colleges of the two-year type through the work of state, regional, or national organizations; or enhancing their growth through research, teaching and scholarly work with special emphasis on the two-year college.

The title of the conference states that our concern manifestly is "establishing legal bases for community colleges." We would also have to admit that we are not so much concerned about *establishing* legal bases for community colleges as we are about *improving* the legal bases of these institutions in the several states. For the fact is, publicly controlled two-year colleges of one type or another are operating in 41 of the 50 states. In each, therefore, there is in effect now some legal basis for the establishment and operation of public two-year institutions. For 34 states, the legislatures have formulated general enabling legislation, allowing individual or groups of local governmental jurisdictions to establish two-year colleges by following certain prescribed procedures and meeting specified conditions. In eight states, there is no such general enabling legislation, but publicly controlled two-year colleges have been founded through special statutes authorizing individual institutions. Altogether, 24 states have influenced the development of public two-year in-

stitutions by enactment of special legislation. And in eight states both types of legal provisions, general enabling laws and special statutes, are to be found.

The point is that we are too late to establish initial legal foundations for public two-year colleges in most states. The question for us is how can we work toward an improved legal basis for the operation of existing colleges and for the establishment and operation of new institutions. There is behind this question, of course, three tacit assumptions: (1) that at least in some states the legal basis for the two-year colleges is defective in some aspect or another; (2) that the deficiencies can be identified and isolated for study in this conference and in similar study meetings in the pertinent states; and (3) that agreement can be reached on ways and means to correct past errors of commission or omission in the legal bases for community colleges. It will be interesting to observe, as this conference proceeds, the extent to which the tenability of these three assumptions will be demonstrated.

In addition to noting the de facto existence of legislation relating to two-year colleges, we should also perhaps note at the outset that professional educators do not hold the primary role in this matter. It is held by the elected officials in the state governments, particularly the governor and the members of the legislatures. That the professional educator has a vital secondary role in the legislative process, however, is clear in the experience of state after state where the elected political officials have turned

to professional persons such as the participants in this conference for basic assistance and counsel in the matter.

How should professional educators react? How can they, as persons of experience in the field and expert researchers and administrators, work effectively with political leaders to improve the legal bases of public junior colleges? If the interest of political and social groups in two-year colleges is low or understanding is lacking or erroneous, how can interest be stimulated and better understanding developed?

Clearly, professional persons in the field of the two-year college and the political and social leaders need to work cooperatively and with mutual respect and understanding if better legislation is to result. The division of labor between the active parties in the process puts the educator primarily in the role of the researcher, that is, the fact finder, analyzer and interpreter, and objective reporter.

This is where surveys enter the picture. They serve simultaneously (1) to show the objectivity of the persons who are responsible for leadership in educational planning and (2) to document the facts relative to the particular situation surveyed. In terms of the interest of this conference, the survey would deal with the extent and character of need for public two-year colleges in a state or locality. The need to combine objectivity and a practical fairness of attitude with leadership is a point which merits a strong emphasis; certainly we at this conference should be ready to say and believe that we do not favor widespread establishment of two-year colleges simply for their own sake. We know their potentiality for service; we know their effectiveness in extending educational opportunities to people; but despite their many advantages, we cannot in good conscience as responsible educators advocate their founding in locations where a good case for them cannot be made.

President David Henry of the University of Illinois made the same point but somewhat differently when he said recently to the Association of Governing Boards of State Universities and Allied Institutions:

The approach must be emphasized—within the legislature or the taxpayers league or in the parents organization—that, in a sense, the institution has no needs, rather the people have needs, and it is up to them to determine whether or not their universities will be utilized to fulfill those needs.

The two-year colleges validly exist only to serve

the wide range of needs of the people for education at the level beyond the high school and below that of professional or advanced specialization in another college or the university. The first step in the process of establishing a legal basis for this kind of institution, therefore, is to ascertain if such needs exist, and, if so, their extent and character. A survey related to the two-year college is simply an attempt to make a thorough and objective analysis of the conditions that obtain in a given area (locality, state, or region) and their relationships to the educational services that two-year colleges can provide. It is directed to such questions as: What are the evidences, if any, of a need for two-year colleges in a state? Where in the state should such institutions be located to meet the needs if needs exist? What are the state's resources for financing, staffing, and otherwise supporting these institutions?

There are limitations to what surveys can do, however. In public education, persons involved in the conduct of a survey cannot make basic decisions of policy which reflect in turn philosophic positions; such decisions of public policy rest fundamentally in the hands of people of a state or locality, their elected representatives in government, and the persons who serve on boards of trustees responsible for educational institutions. To illustrate, a survey can document the extent to which in a given state high school graduates are finding it possible to carry on their studies to the collegiate level; it can identify the helps and hindrances to doing this; but it cannot determine the extent to which opportunity beyond the high school level will be provided as a public responsibility. This is the duty of the general public to establish. Unfortunately, some critics of educational surveys have failed to distinguish between the function of surveys to find out the facts and to present objective analyses and interpretations of the facts, on the one hand, and the obligation of persons responsible for decisions of public policy to exercise their leadership in educational matters, on the other.

Put simply, a survey carries forward the four basic steps of the research method in studying a given situation: (1) formulating a clear statement and concept of the purpose set for the survey; (2) gathering pertinent data in as objective and complete a manner as is possible; (3) reserving judgment until the data are compiled and analyzed; and (4) drawing conclusions valid in terms of and based on the data compiled. Here again we must note that a survey

cannot set its own purpose. This must be established at the start of the project by those who are initiating the survey and sponsoring it.

Dr. Raymond Young in his treatment of the community survey for the 1961 Midwest Community College Leadership Program identifies three types of surveys: (1) the "Expert Type Survey," in which a few experts on educational needs or upon community colleges go into a community and conduct all phases of the project; (2) the "Limited Citizens Participatory Survey," in which the experts do most of the work of the survey and direct its progress, but citizens of the area being surveyed assist in various aspects, and (3) the "Full Citizens Participatory Survey" that calls upon local lay citizen help to the fullest degree possible.<sup>1</sup>

These are classifications based essentially on the technique employed in conducting the survey. Each has certain advantages and disadvantages. Generally speaking, the one conducted almost wholly by outside experts is completed in a shorter time and is more objective in its data gathering and analysis. On the other hand, the surveys which use lay citizen assistance are known to be more lasting and effective in actually bringing about the recommendations advanced. To capitalize on the advantages of both types, most statewide surveys of recent years have involved some measure of lay citizen participation. The degree of participation ranges, of course, from relatively little, as in the case of the Michigan Community College Study of 1958 where only the members of the Legislative Committee were involved, to a great deal, as in the case of the 1959-61 Study of Education Beyond the High School in Colorado where there was a great involvement of members of the legislature and others. To my knowledge, no statewide educational survey has been completed which was directed and conducted wholly by lay citizen personnel without any assistance from one or more experts in the field of education.

Surveys can be classified in other ways than the techniques employed to complete them. One way,

obviously, is by the range of geographic coverage included: a locality, state, region, or other area.

In our study of advance planning to meet higher education needs, Dr. James C. Messersmith and I used two other means of classifying statewide studies and surveys in the field of higher education, including the two-year college. One of these was the comprehensiveness in scope of the project. Of a total of 109 studies completed between 1956 and 1959 inclusive, only 28 treated all seven areas of investigation considered as necessary in a truly comprehensive study. The seven areas were: (1) demand or enrollment potential, (2) organization and administration, (3) programs of instruction, (4) facilities, (5) finances, (6) staff, (7) decentralization, including the junior college question. Of special interest to this conference, however, is that 40 of the 50 states were reported as having completed statewide studies of some aspect or another of junior college education, either as part of a more comprehensive study of higher education or as a special area of inquiry.<sup>2</sup>

Another classification we established was by the auspices of the survey, using two designations: (1) "Special Studies," to include those conducted as "one-shot studies" and resulting from a special mandate or order from the legislature, governor, special state commission, or similar official body, and (2) "Continuing Staff Studies," to include those which were conducted by agencies established on a permanent basis to carry on statewide planning and coordination of higher education. Included in both of these types of classifications were statewide studies which were concerned with the two-year college. For example, several large-scale examinations of the role of these institutions have been completed as part of the continuing study program of the central staff agencies of the State University of New York and the Regents of the State of New York. On the other hand, the recent statewide studies of two-year colleges completed in Arizona, Kansas, and Massachusetts, for example, were "Special Studies," not done by established or standing planning bodies.

The difference in purpose of the two types of studies just described is worth nothing. The "Special Studies" are often aimed at setting an overall baseline for statewide planning, at establishing a machinery for the future conduct of continuing studies, and at providing a framework for setting broad policy questions. Thus, for example, the recent statewide studies in Iowa, Kansas, Nebraska,

<sup>1</sup> Raymond Young, "The Community Survey," p. 12. *Report of the Midwest Community College Leadership Program Institute, 1961* (mimeographed). Michigan State University, East Lansing, Michigan.

<sup>2</sup> S. V. Martorana and James C. Messersmith, *Advance Planning to Meet Higher Education Needs*, pp. 4-5. Circular No. 633. U.S. Department of Health, Education, and Welfare; Office of Education, 1960. This report has complete bibliographic data on all surveys mentioned in this speech.

and North Dakota took up all aspects of higher education planning, management, and programs. Significant recommendations bearing on the legal status of the two-year college appeared in each one. In contrast, the "Continuing Staff Studies" are aimed as a rule at much more specific questions pertinent to the refinement and improvement of a constant attack on the problems of higher education. As already noted, these also often deal with the role and legal status of two-year colleges.

From this, there is evident still another way that surveys can be classified and their classifications related to the improvement of the legal basis of two-year colleges. This classification would be by the purpose set for the project. Your attention is called to the interesting relationship that quite often proves true between a "Special Study" and later "Continuing Staff Studies" in a particular state. Usually, the former sets the stage and provides the machinery for the latter. Thus in New York State in 1948, the "Special Study" which led to the founding of the State University of New York and the first enabling act for public community colleges also set up the means whereby the role of the two-year colleges in the state could be made a matter of continuing examination. Although public junior colleges were operating in Florida before the comprehensive "Special Study" of higher education in 1956, the work of the Florida Community College Council, which was a part of that overall project, resulted similarly in improved and expanded legislation and to a program of continuing studies of junior colleges in that state.

On the basis of the observations concerning surveys that have thus far been presented, three criteria for evaluating these projects can be advanced: (1) comprehensiveness of the survey, that is, the extent to which it took into account the total array of interests or factors bearing on community colleges in the situation being surveyed; (2) the level of objectivity maintained in the survey in gathering data and drawing conclusions; (3) the extent to which the undertaking would contribute to a mechanism for carrying on basic studies as a continuing rather than an occasional enterprise for advancement of community colleges in a state or locality.

Experience shows the merits of using statewide and local surveys in planning for higher education. Advantages that result from those that are statewide in scope are:

1. Curbing of ambitions for a two-year college in localities where energy and zeal to have one is strong but true and demonstrable evidence of need is lacking.

2. Assuring an equity of consideration by the appropriate authorities of localities where clear evidence of need is present but resources are limited, interest and zeal are low, or the area is not well represented in the power structure of the state.

3. Assuring that all phases of educational needs at the level immediately above the high school are taken into account and that the role of all interested agencies, educational institutions and others, are considered in the study.

4. Assuring a fair and objective examination of the extent and availability of resources (personnel, material, and finances) required to meet the educational needs identified.

5. Assuring, through the combined effect of the last two advantages mentioned, that duplication of effort and waste of resources are reduced or eliminated.

6. Assuring that the earlier history of educational practice in a state and its traditions are taken into account in the development of a plan for improvement and continued growth of the total higher education program.

7. Providing a vehicle for overall interpretation to the public of an accurate and complete picture of the status and likely future condition of post-high school education in a state and for establishing a machinery for implementation of the recommendations advanced.

An illustration of the way that survey results contribute widely to public information and understanding is seen in the evidence used by President May Russell of St. Mary's Seminary and Junior College in Maryland when she appeared before the 1961 Congressional hearing in Washington and said:

At the state level, Pennsylvania, Connecticut, New Jersey, North Dakota, Oregon, Ohio, Kansas, and Minnesota, to name but a few, professional and lay groups have worked to the end that new or additional junior college legislation has been recommended and in some cases passed.

However, the problem of financing new two-year colleges looms as the major obstacle to the passage of adequate state legislation. Current state and local tax

programs seem unable to meet all the increasing demands for supporting elementary and secondary education plus additional public services.<sup>3</sup>

Similarly, local area surveys have proved their worth through the actual experience of localities that have used them. The excellent six-county study of the Detroit, Michigan, area recently completed, the several local county surveys in Florida, and those of local sponsoring agencies of the New York community colleges, are all illustrations of effective followup activities at the local level recommended in larger statewide surveys. These states along with Illinois, Massachusetts, and others have joined California in its practice of many years, whereby local area studies are required before consideration by the approving agency at the state level is given to action on the establishment of a new two-year college.

Among the advantages provided by local surveys relating to two-year colleges can be included:

1. Providing answers to such key local questions as the location of sites for the institution, the number and type of campuses that should be operated, procedures for articulating the programs of the two-year colleges with those of the high schools from which students come and of the other colleges to which graduates go, and the like.

2. Assuring the development of curriculums fitted to local area needs of the students as expressed by their talents and interests, on the one hand, and the trained manpower needs of industry and business, on the other.

3. Appraising and documenting clearly the extent and character of local area resources (personnel, material, and finances) which are available to support the establishment and operation of a two-year college.

4. Assessing the degree of local area interest and enthusiasm for acquiring a two-year college.

5. Enhancing public understanding of the role and scope of a public two-year college and its potential services to the particular area included in the survey.

Just as a broad comprehensive study of a state is useful as a preliminary to establishing a continuing mechanism for advance planning and coordination of the total higher education enterprise at the state level, so is it desirable to have a complete, overall, statewide study of the two-year college upon which to build the local area surveys. This concept is well expressed in Florida's report, *The Community Junior College in Florida's Future*, in which three steps to developing a statewide system of community colleges was set forth: (1) a statewide examination of the statistical data which indicates the needs of all counties in terms of population, economics, and education to establish a priority system and the placement of each county in this priority system; (2) a local survey to determine the readiness of local people to support a community junior college and to determine the feasibility of locating an institution in that area; and (3) study and planning necessary before the actual establishment of a junior college.<sup>4</sup>

If the concept of surveys relating to two-year colleges that has been presented is accepted, it can easily be related to the theme of this conference. Ideally, there would be an overall, thorough, statewide study of higher education and analysis of needs for public two-year colleges before a legal basis for community colleges would be established. Then there would follow a series of continuing statewide studies, looking into specific questions more penetratingly, and many local-area studies of two-year colleges (including extensive citizen participation). We would in this way develop the ideal community junior college system in every state, not all alike in every respect, but the best possible in each case. This process has been the one which has borne the best fruit, for it is the one that has been employed, in general, by California, Florida, New York, and others where strong community junior college programs have emerged. More recently other states have adopted the procedure, for example, Arizona, Kansas, Massachusetts, and Virginia.

But we are not in an ideal situation. So I should like to close by raising some questions and suggesting some principles relative to establishing a legal basis for community colleges.

*The questions are:*

1. How can states which have not yet made a comprehensive examination of their post-high school educational enterprise be stimulated to do so?

<sup>3</sup> May Russell, *Aid for Higher Education*. Hearings Before the Subcommittee on Education of the Committee on Labor and Public Welfare, U.S. Senate, 87th Congress, 1st Session, August 17-21, 1961. p. 313.

<sup>4</sup> *The Community Junior College in Florida's Future*, The Report to the State Board of Education by the Community College Council, 1957, p. 28. Florida State Department of Education, Tallahassee, Florida.

2. How can states which have had statewide studies but not of recent date or comprehensive scope be stimulated to up-date and expand their studies?

3. How can the procedures followed in statewide planning be extended from the use of special or single-time studies to greater use of continuing analyses by standing agencies responsible for such planning, perhaps aided by periodic comprehensive studies?

4. How can the merits of this approach to planning for establishment, operation, and coordination of public two-year colleges in a state be better communicated to the governors, state legislatures, and other responsible agencies, so that they will legislatively endorse and provide financial support for it?

*The principles are:*

1. Following a comprehensive statewide study, general enabling legislation authorizing the establishment and operation of public two-year colleges should be phrased in broad terms, setting the general policy of the state and the basic procedures to be followed.

2. The basic legislation relating to two-year colleges should identify or create an educational agency at the state level to which responsibility is assigned to administer and implement statewide development, supervision, and coordination of these institutions.

3. Subsequently, both statewide and local area studies of needs for two-year colleges, their role and scope, and resources for their support should be conducted under the general direction and supervision of the responsible state agency in order that sound actions can be planned and later evaluations completed.

4. The basic legislation should provide not only for a foundation program of financial support of public two-year colleges, but should provide similar support to the responsible state agency so that it can be staffed and equipped to carry out its duties efficiently.

That public two-year colleges are an important segment of post-high school education in the nation is now an established fact. That these institutions are here to stay and that they will grow in number and in enrollment is no longer questioned. Indeed, they are being recognized more and more as one of the best answers to the big question of how growing enrollments and rising costs can be met with economy, educational efficiency, and high quality. If we here at this conference can help to strengthen community colleges by devising ways and means to strengthen their legal foundations and basis of operations, we will have indeed faced up to our duties as leaders in the movement. Using statewide and local surveys in planning for new legislation or changes in existing laws, in my judgment, is one way to accomplish the task before us.

# FINANCING

## public community colleges

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**I**N THE MOST recent yearbook of the National Society for the Study of Education, Dr. Theodore W. Schultz of the University of Chicago has written a paper on "Education and Economic Growth." He points out that between 1919 and 1957 the output of the United States economy rose more than three percent per year, while the increase in the input of capital and labor during this period amounted to only one percent per year. How can the difference between input and output be explained? Schultz suggests that the only clarification which is defensible is that education is the key to this "unexplained" economic growth. He also presents convincing evidence that during this same period the rate of increase in our investments in students by means of education has been much larger than the rate at which we have invested our physical capital.

Among the statistics used to illustrate the economic contribution of increased education, Schultz presents a table which shows that individuals who complete college exceed high school graduates by an additional lifetime income of \$151,000. While this figure refers to four years of college, one may safely assume, I believe, that the two years beyond high school offered through a junior college also add considerably to personal income and thereby to national economic development. In a report published recently, the Southern Regional Education Board illustrates that each year of college adds to personal income and thereby to gross national income.

It is important, therefore, for us to recognize that any consideration of financing educational opportunity is in reality a consideration of investment in capital stock as surely as any other sound business venture. I would suggest that such expenditures

cannot be considered as luxuries but rather as necessities in our total economic as well as social survival.

There are some fundamental principles which must be understood before the details of a financial plan for community junior colleges can be described or discussed. While these principles are basic to public education, the emphasis given here will be toward higher education with special emphasis upon the community junior college.

1. *Principle of Purpose.* Education beyond the high school is essential enough to be made available to all persons who can profit from the opportunity.
2. *Principle of Method.* Since there are several well defined barriers which prevent individuals from taking advantage of educational opportunity beyond high school, institutions offering education at this level should be made available to as many persons as possible through elimination of these barriers.
3. *Principle of Support.* Funds to support post-high school education should come from where the money is located and expended where students are being educated.

These three principles form the basis upon which the discussion of financing junior colleges will be considered. The first two principles must be treated by other speakers. The principle of support is closely allied, however, to acceptance of the first two, and discussion of this principle with its implications for community junior college financing must assume an acceptance of the other two principles.

In reality, the basic issue concerns the extent to which the public will accept responsibility to support educational opportunity. Early in the history

of the United States, this particular issue was considered by the various states. The constitutions in the Middle West states were the first to emphasize public responsibility for higher education as well as elementary education. All states now accept this responsibility to a greater or lesser extent. It seems reasonable to assert that, since education benefits the public in general, the support of the education system from the first opportunities (including kindergarten) throughout the lifetime of the citizens will be the general rule rather than the exception.

Another basic issue which is quite often brought into discussions of financing higher education concerns the extent to which the tuition and fees should be charged the student to pay for his higher education. There are many arguments pro and con the payment of tuition fees. Most of these arguments are beside the point if the basic factors discussed by Schultz are considered. Educational opportunity is of benefit to the economic as well as the social development of any country. The factor of "foregone earnings" which all students must give up in order to attend college is seldom considered. "Foregone earnings" are the amount of personal income which must be given up during the time a student is enrolled in high school or college; in other words, the money he did not earn. These "foregone earnings" may be considered as a cost to the student and amount to more than half the total cost of higher education. These are real costs to parents, to students, and to the economy in general. There are a number of good reasons why students and their parents should not be expected to pay a "consumer tax" on higher education.

A third issue should be brought into the discussion at this point. This issue concerns the extent to which a state may be responsible for the financial support of the community junior colleges. In many states this is still an undecided issue. In some states it is no longer an issue. All states must face this decision. Currently there is evidence which indicates that college attendance (one or more years) is increasing each year at the same rate as high school attendance was increasing fifty years ago. Post-high school education is rapidly becoming the accepted expectation of a larger and larger percentage of high school graduates. In general, a sound position could be maintained which asserted that the same balance of state-local support should be considered for junior colleges as is con-

sidered for other elements of the public education system. Certainly in all states a number of public universities and colleges are entirely state supported. The community junior colleges carry on a portion of this same level of work. In all states there is a varying amount of state support given for grades one-12 of the public education system. Support from the state could well be considered at some point in between that given to the lower grades and that given to the state universities. The alternatives between being entirely state supported and entirely locally supported are not the only choices. The benefits of combined state-local support are many and such support usually is more important to quality in the development of community junior colleges than are other influences.

What are the implications of the principle of support? (Funds to support the community junior colleges should come from where the money is available and expended where the students are being educated.)

1. It implies that all students, young or older, should have an opportunity for continued education without regard for their personal financial status or the location of their homes.
2. It implies that funds to support the community junior colleges should come from tax sources which include more than local taxes.

A student from low economic status who lives in a town or a county of low economic status should have opportunities equal to a student who has no financial worries and who may live in a town or county with great resources.

With these implications in mind, I would like to describe some of the characteristics of a sound plan for financing the community junior colleges.

1. *The plan for financing should provide for joint responsibility to support the community junior college.* The state should assume a share; the locality should assume a share. This will enable each institution to develop with a minimum level of support determined by the state's share and a maximum level of support determined by the locality's share. An essential part of this joint state and local support should be an equalization measure which would assure students attending junior colleges in the poorer sections of a state that they will receive the same basic quality of instruction as students attending in

more wealthy sections of the state. When colleges are entirely state supported, this might not be a problem. Theoretically at least, all colleges would receive the same. However, when a financial plan is based upon joint support, it is essential that each area be required to make a minimum effort in supporting the college that is fairly comparable to other areas of the state—comparable in relative effort, not necessarily in total amount. It is important that the local share be above and beyond the limitations usually established for supporting elementary and secondary schools. Most states will need special authority for this local tax source.

2. *The plan for financing should provide enough basic funds to support a reasonably adequate educational program in each approved junior college.* This amount may vary from one section of the country to another, depending upon local conditions and costs. Expenditures for current operating funds, however, should not be lower than for comparable expenditures for similar type offerings in other state supported colleges and universities. Salary levels, instructional materials, and instructional operating expenses cannot be less than the "going rate" in the region or else the quality of the program will suffer. The cost to the state and to the parents of a student in a community junior college must be less than the cost of a student in a university because of savings in areas other than instructional costs. A sound educational program cannot be built upon the promise that it is cheap. An average cost in many sections of the country at present would range between \$500 and \$900 per student for current operating expenses. Funds for capital outlay should be in addition to this amount.

3. *The plan should depend upon student tuition fees as little as possible.* It is a contradiction to talk about extending educational opportunities to people on one hand and how large the tuition fee may be on the other. Each student will make his own contribution in his "foregone income" referred to earlier. There is ample proof that many of our youth cannot attend college now because of financial reasons. Studies reported by the Southern Regional Education Board indicate that the average college student and his family today spend more than

sixteen cents out of every dollar of family income for tuition, room and board at public colleges, and that over half of the college students are now working part-time. The greatest difference between the numbers of students who expect to go to college and the numbers who actually go is in the middle income group of families.

I will not dwell on the returns which can be expected from a generally higher education level, but I would point out that those students who benefited from the GI Bill after World War II, in addition to the personal productivity, have more than repaid the actual amount granted to them by means of increased income tax paid since they were graduated. I frankly do not expect that student fees will be eliminated entirely, although I believe that this would be desirable. Recent information indicates, however, a disturbing tendency to increase student fees. If fees must be charged, the state coordinating agency should have authority to set upper limits, leaving the actual amount to be charged up to the local college. Many junior colleges seem to expect the students to pay one-third of the cost of instruction. I would characterize a good junior college financial plan as one which would depend very little upon student fees and one where actual fee schedules are established by the local college board.

4. *The plan should be based upon a formula which provides for all elements of necessary costs of a good community junior college program.* Such a formula is often referred to as the minimum program, the foundation program, or more often as the minimum foundation program. The Budget Commission in Florida refers to this type of procedure in analyzing university budgets as "Analysis by Policy Decision." Amounts accruing to each college may be based upon student enrollment, student attendance, a unit of instruction, faculty productivity, or some other type of common denominator. The formula must recognize that small schools cost more per student than large schools, that certain administrative and counseling services are essential over and above teaching services, that some types of programs are more expensive because of the equipment needed for instruction, that provision must be made for rapid enrollment increases (a correction factor).

The formula should encourage the development

of efficiency and general improvement in operation of the college. It should specifically encourage better faculty utilization and increased use of instructional aids such as educational television, programmed learning, and similar innovations. The formula should provide basic salary funds which equal at least the minimum necessary to employ well qualified instructional personnel. Flexibility for institutional decisions regarding salary scale and teacher load should be preserved. Encouragement of the local unit which joins in the support of the community junior college to go beyond the minimum should be built into the formula.

5. *The plan should contribute to stability of operation by providing a predictable income from year to year.* Long range planning for an educational institution requires stability of anticipated income. Stability does not mean inflexibility. Changes should be possible when conditions warrant changes. Appropriations from the state legislature based upon a formula provide such stability. Analysis of budgets when a basic formula is not used should be carried on through analysis of budget policy rather than item analysis. University budgets in a number of states are now being analyzed upon a policy basis which involves some of the same elements as a formula would. For example, such factors as student semester hour productivity per teacher, average salary level, ratio of instruction to administration, and correction factors for library and guidance services are used in determining the budgetary needs of an institution. When this procedure is followed, stability is achieved since changes in the budget approval processes reflect changes in the factors used in the analysis. This becomes a policy change rather than a "hacking" or cutting of amounts of money per se.
6. *A sound plan will include provision for capital outlay.* It would be difficult to assert that the expenditures for capital outlay is solely a matter of state or of local responsibility. The extent to which the state will contribute should be dependent upon the historical development of educational support as well as the basic taxing structure of the state. It is of little value, however, to provide current operating expenses for community junior colleges unless there are also funds provided for capital outlay. A community junior college cannot provide a quality educational program in a barn, an abandoned elementary school, or the great out-of-doors. If a state provides buildings for freshmen attending the state universities, it cannot turn its back upon the freshmen attending the community junior colleges. Local areas are seldom in a position to provide completely for the capital outlay needs of grades one-12. The building needs of the community junior colleges must be in addition to the building needs of the lower grades. In some states capital outlay has become largely state supported even for these lower grades. Costs vary considerably from region to region, and it is impossible to establish a figure which would meet the building needs of all sections of the country. From \$2,400 per student up to \$4,500 per student would take care of the basic capital needs for instruction in most sections of the country.
7. *The plan will provide access to borrowing funds for capital outlay.* A sound plan would recognize that the pay-as-you-go capital outlay procedure cannot keep up with rapidly increasing student bodies. Provision would need to be made which would enable the community junior college to have access to a source for borrowing funds. Some basic campus facilities are needed on every campus while other facilities may be added as enrollment and program variety increase. These basic facilities cannot ordinarily be provided on a pay-as-you-go basis.
8. *A sound plan will recognize that responsibility for record keeping, auditing procedures, and fiscal control is a joint responsibility shared by a state coordinating agency as well as the institution itself.* To insure that funds appropriated by the state are expended in the manner intended, the state must necessarily establish overall procedures. However, as great an amount of flexibility as possible in the administration of the budget is essential. Colleges must operate with budgets developed upon the basis of program needs as well as funds available to meet those needs.
9. *A sound financial plan will not be dependent upon gifts or donations in providing sufficient funds for the basic quality program of instruction.* While there will always be a need for

encouragement of as well as a ready reception for donations, grants, and gifts. long range programs may not be built upon such possibilities. Grants and gifts are often useful in beginning new programs, but such gifts should be considered as a supplement to the regular public support.

10. *The plan should include a provision which would induce areas of the state not directly participating in the support of a community junior college to make their contributions on a basis related to the number of their own residents who attend in another part of the state.* While all governmental units participate in the support of the state share of the cost, it is essential that all units not directly supporting a community junior college be encouraged, even required, to make a contribution for their own residents from local sources.

The above characteristics are found to some extent in the financial plan of several states at present. No state has put into practice all ten of these practices. There is an equalization formula operating in several states' financial plans. There is a trend toward looking for very similar characteristics as these in the preparation and analysis of universities' budget requests.

No financial plan for support of community junior colleges may be developed as an ideal plan which will fit all states. Education—elementary, secondary, and higher—is a state function and is recognized

as such in state constitutions. There are varied conditions in each state which affect the tax resources, the traditional method of support for public services, and the relative portion which might be considered as the state's share or as the locality's share. If the people of a state accept a responsibility for educational opportunity, they must devise a method of support which is in keeping with the responsibility they have accepted.

The most important characteristic noted above was the formula for determining the amount of support. The factors of this formula will determine the scope of the curriculum which will be offered and the quality of instruction which will be available. These factors will need constant evaluation and should be changed from time to time. These factors indeed will vary from state to state, region to region. They do not represent a simple solution for all times and all places.

It is said that J. P. Morgan once replied to a query regarding the cost of operating his yacht that if you need to know how much it costs you can't afford to own one. The public community junior college is not like Mr. Morgan's yacht. We do know how much it costs and we can't afford not to support it. A sound financial plan will provide for adequate educational opportunity at this level and will at the same time encourage efficiency and continuous improvement in the effectiveness of the educational institutions. Opportunity for education is our greatest national asset. We can't afford not to pay for it.

# patterns for the **CONTROL** of community colleges

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**O**F THE THREE major topics before this conference, "Control" is perhaps the most difficult to consider objectively. Not only does it lend itself to great subjectivity and emotional response, but, in addition, it is closely intertwined with the other two conference topics, particularly with finance. As a matter of fact, relatively little has been written about junior college control per se. Some of the recent books and articles dealing with the two-year college include reports on typical control patterns but, for the most part, this discussion is incidental to the general development of the institution and neither conclusions nor criteria concerning control are reported.

At this conference we should attempt to look at control as objectively as possible. We shall not be able to isolate it entirely because it is so interrelated with financial support, but we should be able to assess partially the various control patterns, to formulate some criteria for evaluating the various patterns, and perhaps to identify certain research which would be helpful in subsequent evaluation.

Presumably, we know what we mean by control. Of Webster's several definitions the one that seems most applicable is that control is the authority to direct, to regulate; to command. To one in education the term at once suggests both the agency and the process by which an educational institution is given its legal entity and to which it becomes responsible for operating within a framework of policy.

The nature and diversity of the two-year college suggests two major dimensions of control. One is what might be called external control which is central to our conference subject. It has at least three parts.

First, the overall state pattern for two-year colleges, i.e., whether these institutions are established and controlled by a university as extension centers, or by the state generally as regional community colleges.

Second, whether two-year colleges are operated as local institutions by local districts and boards and, if so, whether these districts and boards are responsible only for the junior college or are also responsible for the high school and perhaps also for the elementary school.

The third part, when applicable, is the relationship between local boards and state coordinating agencies. The second dimension of the problem has to do with the internal balance between governing boards and administration. While not central to legislation, this phase undoubtedly should receive some consideration by this conference.

Before turning to a discussion of these dimensions, we should raise a question as to why it is important to consider the element of control separately. The answer seems obvious, particularly when the question is considered in the context of legislation. Throughout the nation one of the most debated questions concerning community colleges centers around the advantages and disadvantages of the various types of state plans, local districts, and internal control practices. Any conference of this kind must then attempt to establish some guidelines on this important element of community college direction.

I assume that this conference is concerned with the legal bases for establishing *community colleges* in the real sense of the word regardless of what they may be called by name. I assume, further, that

the generally accepted characteristics of a community college are that it:

- Is comprehensive, offering a wide variety of educational programs;
- Plays a major role in the educational, cultural, and civic activities of the community;
- Maintains a close interrelationship of the college and the life of the community;
- Insists on its rights to dignity on its own merits without attempting to resemble a four-year college.

These are not new thoughts. I simply restate them for the framework of our discussions.

Within this framework let us first turn to the element of external control. Perhaps we shall not be able to conclude that the advantages of any one plan for the external control of community colleges far outweigh those of other plans. We may conclude that any plan must be consistent with the peculiar characteristics of the state involved. To carry this to an extreme, however, may result in a weasel attitude toward the problem and thus get us nowhere. It is extremely difficult to determine how to approach the evaluation of various control patterns. I have finally decided to submit for your consideration six general assumptions and from each to suggest a criterion which might be used for evaluation purposes.

#### *Assumption 1*

Basic to a discussion of control is a consideration of *values*. Educational institutions, like other organizations, are rationally structured and goal-directed. Perhaps the most important set of values is what Selznick calls "the evolving character of the organization as a whole."<sup>1</sup> This implies the necessity for desirable and realistic goals and the question thus becomes one of how organizations are to be governed so as to coordinate their human and material resources in the realization of these goals and in the fulfillment of the institution's character. Types of colleges as well as individual institutions must have goals which they constantly seek to achieve in the evolution of institutional character.

*A possible general criterion:* The control pattern must be such as to recognize an institution as an *entity* with a *character* which it must achieve through the pursuit of goals. In other words, each institu-

tion is a personality which like a human being has—or should have—hopes and ambitions to be fulfilled and which if not fulfilled will wither and leave the institution sterile. This would seem particularly applicable to an agency such as the community college with its many avowed purposes and objectives. Whatever the control the entity and dignity of the institution must be preserved.

#### *Assumption 2*

Despite the close relationship between financial support and control there are philosophical and pragmatic reasons why the two elements should be considered separately as well as jointly in the planning of an educational institution. Admittedly, the importance of adequate financial support and also of financial control cannot be underestimated nor can the examples of how financial control affects the college program be minimized. There would appear to be a danger, however, in assuming that the control pattern has to parallel the financial pattern. Mort and Reusser have touched on this point in their book on *Public School Finance*. They expand the idea that although public education has been generally conceded to be a function of the state, the development of local school systems has resulted in education being neither a total state nor a total local responsibility. The authors then say that this dualism makes unrealistic the theory that he who pays the piper plays the tune. They go on to state, "The support system must be built up in terms of the problems of taxation, both the economic and the practical, and the control system should be built up in terms of what in the long run promises the best results in the educational enterprise and in the satisfactions of the citizens."<sup>2</sup>

*A criterion:* The legal entity which really directs the community college need not necessarily procure all or even most of its tax money from within itself. The planning of community colleges should be done within the framework of all higher education and if major state funds are used in the support of such colleges, the stewardship of these funds, with proper reporting procedures, can be vested in control bodies which may be more effective than the state as a control agency. Note that this principle does not say that support and control *have* to be vested in separate bodies—they simply *may* be.

#### *Assumption 3*

There is a relationship between the effectiveness of control and the closeness of the controlling agency to the controlled. In their volume, *Public Admin-*

<sup>1</sup> Philip Selznick, *Leadership in Administration*. Row-Peterson Co., New York, 1957, p. 38.

<sup>2</sup> P. Mort and W. C. Reusser, *Public School Finance*. McGraw-Hill, New York, 1957, p. 46.

istration, the Dimocks make a distinction between two concepts of control—executive or administrative control and democratic control. They state that the democratic principle requires that the exercise of control over policy or action be placed by law as close to the people as can be done feasibly, all other principles taken into account.<sup>3</sup>

*A criterion:* The controlling body of a community college should be as close as possible to the people served by the college. This would suggest that, when feasible, the majority of the people served by a college should have the right to participate in the selection of the governing board. This in turn would suggest that the boundaries of the college entity should correspond closely to the area from which the college draws most of its students.

#### *Assumption 4*

A governing board of any educational institution bears a heavy and time-consuming responsibility. This is particularly true in the case of the community college with its diversity of purposes and programs. The following statement appears in a document prepared by the Middle States Association on suggestions for faculties, trustees, and others interested in improving or establishing two-year institutions. "Good trustees undertake their office with a sense of responsibility and a readiness to take enough time to study and understand educational problems and practices and to become acquainted with their own institution in more than a superficial way. Lack of time, or failure to take enough time for the work, is often the reason when a trustee proves inadequate."<sup>4</sup> Presumably, this statement was aimed at individual trustees but it applies as well to governing boards as a whole.

*A criterion:* Governing agencies of community colleges must not have so many additional responsibilities that the time and energy available for the direction of the community college is beyond the realm of probability.

#### *Assumption 5*

Those in whom is vested the control of a community college must believe in this type of institution. Referring again to the Middle States docu-

ment, we find the statement, "Good trustees believe in the institution they control. They are its disinterested and impartial governors and at the same time its most loyal interpreters and aggressive supporters." Frequently the boards which govern community colleges are those which have responsibility for other types of educational institutions. This, of course, does not necessarily preclude their belief and interest in the community college but it at least raises the question of whether there may exist a lack of understanding, sympathy, or even a partial conflict of interest. Sometimes it seems very logical for one board to have jurisdiction over two or more agencies, but this may deprive an institution of what Selznick calls "institutional integrity." He has said: "The fallacy of combining agencies on the basis of logical association of functions is a characteristic result of the failure to take account of institutional integrity."<sup>5</sup> At least this is a warning.

*A criterion:* The controlling agency of a community college should be one which can have no conflict of interests between the community college and any other institutions for which it is responsible. Its dedication to the unique characteristics of the community college must be unquestioned.

#### *Assumption 6*

Since education is to some extent a state responsibility, there must be close coordination of community colleges with all other segments of education. These colleges cannot operate in a vacuum. Such coordination does not, however, necessarily take the form of detailed control. For example, in those states where community colleges are under the jurisdiction of local boards, the coordination at the state level must insure the proper functioning of these institutions in view of the state's educational needs and resources, but there must be a fine line between coordination and control. Mort and Reusser had a word on this too when they said: "Most legislative action should be structured in nature. It should be concerned with setting up a framework within which the local administrative bodies can operate effectively."<sup>6</sup> When to draw the fine line or how to set up the framework for coordination and yet preserve local autonomy, is a matter in need of further discussion.

*A criterion:* Any state plan for community colleges should be just that—a state plan. Each institution should have its own individuality and, if under a local board, should be autonomous, subject to minimum standards imposed and enforced by the

<sup>3</sup> M. E. Dimock and G. O. Dimock, *Public Administration*. New York, Rinehart and Co. Inc., 1953, p. 86.

<sup>4</sup> *Junior Colleges and Community Colleges*, Document No. 4.60, Middle States Association of Colleges and Secondary Schools, December, 1958.

<sup>5</sup> *Op. cit.*, p. 58.

<sup>6</sup> *Op. cit.*, p. 46.

state. An appropriate state agency should coordinate community colleges with high schools and other colleges. Even state-controlled community colleges and extension centers are not exempt from the need for coordination with other segments of education.

So much for some suggested very general assumptions and criteria. What do they mean? Time does not permit their application to every known and conceivable pattern of community college control. Moreover, the suggested criteria themselves are open to various interpretations. This conference, however, will find it necessary to weigh advantages and disadvantages of various patterns, so we might start with some suggested partial applications.

First let us consider the situation in community colleges controlled entirely by a state agency which includes regional colleges and extension centers. Here I am going to ignore the use of local advisory boards which, though extremely useful, are not in the full sense controlling bodies. Also, I am not going to debate the merits and demerits of state institutions as such. It does appear, however, that for purposes of this discussion we should consider extension centers in the light of whether they are in effect community colleges. Those that are, can be discussed in the light of desirable control and those that are not can be excluded from this discussion. This, of course, does not settle the issue of whether post-high school education is best served by state-controlled two-year institutions of either type which is a topic beyond the scope of this conference.

It would appear that some, although not all, of the suggested criteria would argue well for the state-controlled community college. Such a control arrangement should lend itself to the fulfillment of institutional goals. Although not necessary, it also happens to correspond with the principal source of revenue. It should facilitate coordination. It should result in a board which believes in the community college and which has time to devote to it. The extent to which this is true, however, depends upon whether the board is a separate one for community colleges or whether it has other types of institutions under its jurisdiction. One criterion it generally would *not* meet is that the board be close to the people and this, in my judgment, is exceedingly important. This type of control has developed in a few states presumably because the tax structure, the population distribution, and the historical antecedents of local districts appeared to make unfeasible the policy of local control. Some people have predicted

that as state support for community colleges becomes greater, the tendency will be for more states to move toward this pattern of organization. But again we are on the question of whether the tax structure must dictate the control pattern. If Mort and Reusser have a point, this should not be necessary. Unfortunately, the fact that relatively few states utilize this pattern extensively results in there being a smaller body of experience to draw from in evaluating this system than is true, say, for the practice of local control.

Those university extension centers which really perform the services of the comprehensive community college would also seem to meet some, but not all, of the criteria. Unfortunately, much of the research shows that many of these centers really are not community colleges in function. Whether this is because of their control by the university, and finally by the regents, or whether it is because the particular state has not conceived the need for community colleges as such, is difficult to determine. Maintaining two-year colleges under the university does have the advantages of experienced direction and of coordination (in terms of the two-year units themselves and with the parent university, but not necessarily with other colleges or with the secondary school system). The plan should also have the advantage of assisting the center in attaining its goals as a preparatory institution, but it could be a deterrent to the center in achieving the other goals of a typical comprehensive two-year college. The plan removes the control agency (the governing board) some distance from the community location and injects an intermediary administrative unit, the university itself, between the board and the college.

Whether this arrangement can meet the criterion of a governing board with time to devote to the college and with full sensitivity to the purposes of a local college, may depend upon the particular university. Judging, however, from the tendency of some universities to apply parent campus admission policies or to maintain only, or primarily, university parallel programs in the centers, and at the same time to differentiate in the financial support of the center as compared to the main campus, this sensitivity is not evident. Perhaps this is all right from the standpoint of the university and once more we are back to the question of what is needed in a given state. It may be that a university *could* maintain enviable comprehensive two-year colleges—and some do approach this situation—but one has to be re-

mindful of the obstacles to this, both on part of the academic university faculty and the governing board which is far removed from and often not acquainted with local community needs.

Locally controlled community colleges by whatever type of district they may be organized also meet some of the criteria better than they meet others. They surely get control close to the operation and to the people served. They should be conducive to the fulfillment of institutional goals. They usually do not cling to the notion of entire control by the principal sources of revenue. On the other hand, they may be less subject to coordination. Some of them may not have boards which have time for or interest in the affairs of the college. This brings us to the question of whether local districts maintaining community colleges should be independent or unified. Good arguments can be advanced on either side. It can be argued that the unified district results in economy of operation, efficiency in management, and vertical articulation with the schools below. Against this one has to apply the criteria of (1) having a board that presumably knows and believes in the community college because it was selected for this type of institution and (2) a board whose time is not consumed with other onerous duties and complex problems. Other advantages in the areas of financial support and ease of administration could be cited but they are not part of control.

To my knowledge there are no very good objective studies on the effectiveness of one type of local district over another. You may recall that in one of our investigations at the Center we found that two-thirds of the teachers in two-year colleges in unified districts said they would prefer to be in separate districts. Many of them gave as their reason for this opinion the "stepchild" treatment which they perceived the boards in unified districts gave to the junior college. In those states which have local community colleges there seems to be a definite trend as well as an urge to have them controlled by a separate board. However, I am sure we are not at the point where we can say that this pattern is *always* to be desired.

I turn now to a very brief discussion of internal relationships between boards of control and admin-

istration. This is a subject unto itself and I raise it here only to suggest that you may care to discuss it later. Everyone in this audience has a concept of the distinction between control and administration. We are accustomed to thinking in terms of the board making policy and of the administrator implementing it. We all know, however, that the line between the two is fine and that there are many gray areas. I have a feeling that the pendulum is always swinging along the continuum of board-administrative relationships. Corson has commented that the authority of governing boards has been markedly reduced since the days when board members personally examined all graduating seniors. Ruml and Morrison have said in effect that while trustees have final authority, they are dependent on others, often inadequately informed and unable to influence decisions that determine the basic character of the institution. On the other hand, in many sections of the country we find board members becoming increasingly active and interested in the internal affairs of the institution—often with what would seem to be the correct encouragement on the part of administrators. Board members and administrators attend many of the same meetings and participate in the same discussions. Yet in the last year some community college administrators have expressed concern that boards may eventually go so far as to not discriminate between policy making and administration. Some board members have also expressed concern that administrators in attendance at state and national professional meetings frequently agree on decisions that would more appropriately be made by board members.

As an administrator I would welcome a professional interest on the part of a board. Yet because of such expressions of conflict, I ask you if this question is something to be considered within the framework of control.

In conclusion: I wish I had the answers to many of the problems of control before this conference. I don't, but even if I thought I did, you wouldn't necessarily agree with me. Admittedly, there is no *one* answer to many of the questions. But maybe it is time to seek more answers, to discontinue our hedging, and to relax our prejudices.

# DISCUSSION

## summary — group A

WILLIAM N. ATKINSON, *Chairman*  
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### SURVEYS

#### *Initiating the Survey*

##### **Reactions and Agreements:**

- Local surveys may be initiated by local education groups, chambers of commerce, or business groups.
- State surveys may be initiated by the legislature; the governor or his advisor; citizens or citizens' groups; the state agency concerned with higher education; professional educators in higher education (including professional education organizations).
- Regardless of who initiates the study, the responsible state agency should do the research and provide needed information for legislative decisions.
- Any state study should be comprehensive and include all higher education rather than one level of education.
- Any study must be acceptable to the legislature, for funds to carry out the study will be sought from the legislature.
- The central state agency responsible for education should be involved in the study; if the agency is not prepared to conduct the survey, an ad hoc survey committee should be established.

*In SUMMARY*, these principles should govern initiation of state surveys:

1. Where a state has an organization for continuing study and survey of post-high school education, this organization should be the initiating agency. Otherwise the legislature or any other responsible agency may initiate the study.
2. Any number of groups may be involved, but professional educators must exert leadership in planning for higher education.
3. States should finance surveys, but should cooperate with foundations, etc., to obtain financing.

4. Lay citizens, including legislators, should be involved.
5. Appropriate state agencies, practicing junior college personnel, and other professional educators should take part.

#### *Criteria for Surveys*

##### **Reactions and Agreements:**

- The survey should be comprehensive and should involve persons with a wide range of interest.
- The survey should be coordinated by an existing agency or an agency created for this purpose.
- The survey should be directed by a professional person in the educational survey field.
- The survey should result in recommendations pertinent to problems under study.

#### *Implementing Survey Recommendations*

##### **Reactions and Agreements:**

- Several state agencies should be involved in the conduct of the study, and the final report of the study should be referred to these agencies for implementation.
- A study should result in the creation of an agency or the assignment of responsibility to an existing agency for continuing study and survey of post-high school education.
- A state survey should recommend a plan for the orderly growth of higher education, including community colleges, if no state plan exists.
- The state survey should result in recommending procedures for development of institutions.

### FINANCE

In its session on finance, the group discussed point by point the ten characteristics outlined by the consultant, Dr. Wattenbarger. As a preface to the discussion, the group unanimously endorsed the following statement from "A Guide to State Legislation for Community Colleges" prepared in 1960 by the American Association of Junior Colleges:

Recognition must be given to the fact that patterns of organization, operation and support may vary from state to state, depending upon the historic development of public education and of higher education in particular in each state. For example, certain states are historically committed to bases of support and policy formation other than the local control recommended here. Where this is the case, other methods should be sought to assure sensitivity of the institution to the local needs and to local views on policy matters.

#### **Reactions and Agreements:**

- The plan for financing should provide for joint state and local responsibility.
- The plan for financing should provide enough basic funds to support a reasonably adequate educational program in each approved junior college.
- Education at the junior college level is of such economic and social value to the nation that it should be tuition-free to the student, but the group recognized that various factors might make it impossible or impractical to achieve this objective at present in some states.
- The plan should be based on a *flexible* formula which provides for all elements of necessary cost of a good junior college program.
- The plan should contribute to stability of operation by providing a predictable income from year to year. The group questioned the interpretation of the word stability and felt that the plan should make provision for a correction factor for unexpected enrollment increases.
- A sound plan will include provision for capital outlay.
- The plan will provide access to borrowing funds for capital outlay, but student fees should not be pledged for repayment of revenue certificates.
- A sound plan will include a uniform system of accounting and reporting in order to acquire comparable data for a continuous evaluation and modification of the financial plan.
- A sound financial plan will not be dependent upon gifts or donations in providing sufficient funds for the basic quality program of instruction.
- The plan should include a provision which would induce areas of the state not directly participating in the support of a community junior college to make their contributions on a basis related to the number of their own residents who would attend.

#### **CONTROL**

#### **Reactions and Agreements:**

- The definition of the general scope and function

of institutions of higher learning is a legislative function and there should be a state agency designated to coordinate various institutions.

- A case could be made either for a separate community college coordinating board or for a unified state coordinating board which had responsibility for institutions other than junior colleges.
- In discussing the responsibility of the faculty for curriculum development and accreditation, it was agreed that the need for efficient management of state funds and for coordination may often infringe on traditional prerogatives of the faculty.
- Accreditation or approval of some type is a proper function of state agencies, and in exercising its coordinating function the state agency should have some authority in the field of curriculum, though this should be kept to a minimum.
- The six principles of control outlined by Medsker form a sound basis for judging types of control.
- In attempting to distinguish between control and coordination, the group brought out that the state agency has a responsibility for coordination and for a type of quality control.
- The question of certification practices was discussed, and the group adopted a motion: To formally request the Board of Directors of the American Association of Junior Colleges to approve a study of certification practices, with recommendation for action to be undertaken by the Commission on Legislation or other appropriate body.
- State regulations of minimum standards ought to be less specific than are many current certification standards.
- As much autonomy as possible in faculty selection should be left to the individual institution.
- Control pattern of junior colleges within any state should be considered not as an isolated problem but within the framework of the overall control of public education.
- Local boards should be elected on a non-partisan basis and the board should be of such size and composition that the majority of the board would remain on after any single election.

#### **Summary**

The group agreed that in any discussion of the various types of organization, the organization should be evaluated on the basis of criteria or principles such as those outlined by Dr. Medsker rather than on the basis of type of organization itself.

# DISCUSSION

## summary — group B

ELLSWORTH R. BRIGGS, *Chairman*  
Dean, Evening and Extension Division  
College of Marin, Kentfield, California

### SURVEYS

#### Reactions and Agreements:

- Movement for establishment of a junior college through survey work may legitimately come from any source; probably initiated by an individual or a citizen group.
- Primary objective should be creation of interest in the project and the initiation of a survey to determine need, cost, and other pertinent factors.
- Since the establishment of a public junior college is a governmental responsibility, it is considered wise to enlist the support of legislators and to place the survey in the hands of a governmental unit.
- Desirable to secure professional advice from outside the state to eliminate possibility of competition among groups likely to be affected by recommendations of survey teams. (The group mentioned studies that were exhaustive and well done but suffered disappointing outcomes because of inadequate planning for enlisting the support of all interested parties in conducting the study and provisions for implementing the recommendations.)
- It is a necessity to obtain strong local support, including all of the pertinent facts derived from surveys and opinions, and then to enlist the interest and support of legislators on the basis of those facts, to prepare a rough draft of the proposed bill and to let the legislator present the facts, propose public hearings, campaign on the issue, write a final draft of the bill and present it for consideration and vote.

### FINANCES

Discussion in this meeting centered on the fundamental issues raised by Dr. Wattenbarger. The group considered the need for opportunity for community junior college education, costs of operating such programs, and needed capital outlay.

#### Reactions and Agreements:

- Accepted concept that "education is a necessary investment for the welfare of community, state, and education."
- Educational opportunity should be provided through college level instruction.
- Opinions differed in the matter of amount and extent of financial support to be borne by a student, the district, the state or federal government.
- Responsibility for financing the junior college program ranged from a high level support to no support in some states.
- With one dissension, participants favored free or minimal tuition rate for students, though the allocation of total costs of operation by thirds, one to student, one to district, and one to state, has public appeal. Most favored low or no tuition rate, with the understanding that this must be determined by the ability of the state or district to pay college operating costs without benefit of tuition revenue.
- Junior colleges should be a part of the state educational system; therefore, they should receive financial support from the state in the same manner as is provided for in other units of the state program.
- Participation of the Federal government in financial support was noted.
- Mobility of the American population was cited as a pertinent factor in financing, suggesting a need for equal educational opportunities in all states. It is unlikely that equal opportunity can be attained without some attention to Federal support.

#### Summary

It is the function of the state to survey the problem, to determine the specific needs, and to provide the financial support required to establish an adequate program of higher education. The state

by collecting tax money where it is available and making it available to localities as needed carries out a desirable equalization function.

## **CONTROL**

### **Reactions and Agreements:**

- Control is usually determined by the enabling community college law and in the majority of cases the law authorizes one of three systems:
  1. University extension or satellite two-year colleges.
  2. State board, coordinated and balanced with local boards.
  3. School district control exercised by county, regional or single district boards.
- It is desirable but difficult to separate the functions of control from finance.
- Control of the junior college should be exercised by persons residing within the service area of the institution.
- Board members should be intensely interested, qualified and willing to devote time and energy to the task.
- It was the majority opinion that a combination

method of state board for overall coordination and a local board for separate institutional control would provide the greater opportunity for success in the junior college field.

- Some members of the group recommend establishment of a state board of education whose responsibility would be confined to control of the junior college program. This board or committee would have the advantage of concerted effort, greater knowledge of functions and problems, greater flexibility in decision making, and in development of long range plans.

### **Summary**

The meeting met and exceeded the expectations of the participants in all respects. It did stimulate thinking, provided a means for expressing personal opinions, established the need for the junior college, permitted a survey of present legislation and the identification of inherent problems in each case, highlighted the value of education as a national investment necessary for the welfare of the nation, and pointed out the need for a summary statement similar to the guide to state legislation for the establishment of community colleges.

# CONSULTANT CONSENSUS

S. V. MARTORANA, JAMES L. WATTENBARGER,  
AND LELAND L. MEDSKER

**M**ANY TIMES in the course of this conference attention was focused on the wide diversity of types of community colleges in the United States and on the divergent patterns of legislation upon which these institutions are based in the several states. The diversity which characterizes the community colleges and their legal bases represents both a strength and a weakness. Strength results from the flexibility provided the community colleges that are free from fixed patterns of organization or traditions of operation; greater opportunity is therefore provided them to experiment and grow in services particularly adapted to their communities in which they are located. Weakness in the diversity is seen in that it makes more difficult the task of interpreting the community college as an institution to the public which it services; a confused public "image" of the community college results from the fact that in some states they are legally attached to the common schools but in others to the system of higher institutions, that in some states they are operated by local, special districts, but in others they are totally state controlled and supported, and so on.

Moreover, the great variation in financial and control patterns for two-year colleges among and within states results in a considerable amount of institutional insecurity and jealousy, which preclude two-year colleges from pulling together as a unified segment in the improvement of their operations and services.

In this conference, as in other meetings of this kind, there has appeared a general agreement on the point that the advantages of flexibility and diversity to community college operations should be maintained but that the weaknesses that result should be overcome. The big challenge in this proposition, of course, is how can this be done. In the judgment of the three consultants to the conference, the movement toward establishment of community colleges in the United States has proceeded long enough in time, and widely enough in geographic locations in the United States to warrant the making of critical observations and generalizations about the strengths and weaknesses of different types of public two-year institutions. There are emerging techniques for appraisal and criteria for evaluating these institutions and the way they are created. With further research and analysis they can be refined. As suggested in each of the three formal presentations, however, effective use can be made now of the measuring sticks that are at hand.

There would be no point to a reiteration here of the principles and criteria set forth, both in the formal presentations and in the group discussions, bearing on the use of surveys to establish legal bases for community colleges, the development of guidelines for financing these institutions, or criteria for judging the pattern of control under which they are to operate. The three consultants do want to stress, however, their strong and general agreement with the

approaches, principles, and generalizations expressed in each of the three papers. This basic consensus is to them all the more important in view of the fact that there was no exchange of correspondence, draft copies of the papers, or other communication between the three consultants on this matter, before the conference. Yet there is, as far as they are concerned, a statement of agreement which can be presented.

In the first place, this conference has shown that a *procedure* toward establishing a sound legal basis for community colleges in every state is known and accepted. It includes these five basic steps: (1) use of a comprehensive statewide survey of the needs and resources for higher education in a state; (2) formulation of general enabling or permissive legislation which sets forth in broad terms the overall framework for community college operations; (3) creation or designation of a state agency for statewide coordination and supervision of these institutions; (4) use of local surveys of need and resources; and (5) continuous evaluation and analysis of institutional operations in terms of local and state needs for post-high school education.

Secondly, several guidelines can be advanced with considerable confidence that they will be accepted at least by persons active in and responsible for community college development. These would include: (1) charges imposed on the student in the form of tuition and general fees should be kept to the minimum level possible; (2) the local area served by the community college and the state should share in financing both the costs of operation and of capital construction; (3) in the procedure for financing, the state should serve as an equalization agency so that the citizenry residing in areas of high need, but of relatively limited taxable resources will not be denied opportunity for continued education; (4) the financial plan should encourage the development of a diversified program of studies in the community college.

Finally, at least tentative conclusions can be drawn on the basis of present evidence and experience with two-year colleges of different types over the country as to which exhibit the more advantageous patterns of administrative control and organization. Recognizing that administrative structure is a means toward the goals of an enterprise and not an end in itself, several criteria for evaluating and improving the structural organization of community colleges can be stated. Chief among these are: (1) the

control structure should provide for institutional integrity of community colleges; (2) control and finance patterns are not necessarily integrally related matters in the operation of community colleges; (3) the controlling agency of a community college should be as directly representative of the people served as possible; (4) governing boards of community colleges should be so structured and their responsibilities so defined as to maximize concentration of interest and application of attention of the board and its members on the community college governed.

Each state must develop patterns of control, of finance, and of operation which are in keeping with the historical development of public education in a particular state. For example, different types of two-year colleges may work with equal effectiveness in terms of their end results, provided that such factors as size of districts, geography of the state, tax structure, and historic balance between state and local governments are given due consideration.

Establishing and developing a sound legal basis for community colleges is a joint process in which enlightened leadership of lay citizens, professional educators, and political leaders has to be involved. It is not a static matter but a dynamic one, for laws and regulations need to be adapted to changing social, economic, and political, as well as educational conditions, at the several levels of government. In this process, the role of the layman is to assure alertness on the part of all concerned to the needs of the times, to help in examining how community colleges can meet these needs, and to promote general public understanding of these institutions. The role of the professional educator is to ferret out and to make known the strengths and weaknesses of different approaches to providing needed post-high school educational services. The role of the political leader is to provide authorizations and safeguards in the law to give maximum capability to community colleges to achieve their functions effectively and, further, to provide the needed financial support to make this possible.

This conference on establishing legal bases for community colleges is one illustration of the many ways that the primary participants in the legislative process relating to community colleges can work collectively toward goals upon which they mutually agree. Other techniques for joint activities on the part of the several groups concerned and thereby for more effective legislative action can be mentioned.

These would include, for example, the preparation and distribution of leaflets or brochures about the services, operations, costs, and related information concerning community colleges; organizing panels of consultants or speakers bureaus to make more widespread factual information about these institutions; and formation of study groups or action committees to work in gathering and distributing information relating to community colleges. Such actions would serve to provide a ready fund of information and pool of personnel upon whom legislators can call when legislation is being formulated or when public hearings on proposals bearing on community colleges are held.

The legal bases of community colleges in most

states are still in very early stages of development. Concerted and intelligent action exerted toward sound formulation, clarification, expansion, and strengthening of the laws concerning community colleges is timely and needed. The goal is to develop laws which not only make possible, but actually stimulate full and free provision of the educational services that people need and community colleges can provide. The vigor of discussion and sincerity of interest exhibited by the participants in this conference indicate clearly that it is a beginning, not a closing step in their efforts to reach the goal. The actions that they will take in their home states and localities will mark the main achievement and true success of the conference.

# APPENDIXES

## APPENDIX A

### Conference Participants

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# APPENDIX B

## A GUIDE TO STATE LEGISLATION FOR COMMUNITY COLLEGES\*

by the

Commission on Legislation, American Association of Junior Colleges

### *Introduction*

In almost every recent state study of higher education community colleges emerge with heavy responsibilities. Because of this and because of the rapid development of these institutions, many states are now actively considering new and better legislation for the establishment and support of community colleges.

The American Association of Junior Colleges, through its Commission on Legislation, has prepared these guidelines in the hope that they will be helpful to all persons interested in making opportunities for post-high school education accessible, geographically and financially, to every qualified citizen.

A well planned and adequately financed state system of community colleges can be an important means by which America can meet its rapidly growing needs in higher education.

State laws enabling the establishment of community colleges should be phrased in broad terms setting forth the basic conditions to be met and procedures to be followed by the agency authorized to set up and operate these institutions.

Recognition must be given to the fact that patterns of organization, operation and support may vary from state to state depending on the historic development of public education, and of higher education in particular, in each state. For example, certain states are historically committed to bases of support and policy formation other than the local control recommended here. Where this is the case, other methods should be sought to assure sensitivity of the institution to local needs and to local views on policy matters.

### *Survey*

*Before new state legislation is enacted or major amendments to existing laws proposed, a state-wide study should be made of needs for post-high school education and of the extent to which those needs are unmet. Proposals by which these needs can best be satisfied should then be projected. The study should be authorized and financed by the state legislature which will determine the scope of the study and the membership of the study group.*

A steering committee should be appointed with a smaller professional staff to actually conduct the survey. The professional staff should be equally representative of community or junior colleges, the four-year colleges and universities of the state, and recognized authorities from out-

side the state. Among the groups that might be considered for representation on the steering committee are: industry, business, agriculture, the professions, legislative committees, labor, secondary school superintendents, PTA, League of Women Voters, Chamber of Commerce, and State Board of Education.

What would the committee study?

1. What is the outlook of the people of the state toward higher education? What do the people believe about the work of higher education in the state? How essential is it? What kind of education is important? Who should have opportunities for it?
2. What are the present and projected college enrollments? What are the population trends in the state, geographical distribution of population, transportation facilities, composition of population? What are the number and percentages of high school graduates in the state who are presently entering institutions of higher learning, and what are their fields of interest? How do these percentages compare with similar statistics of other states?
3. What are the business and industrial trends in the state, and what are their implications for post-high school education? Will automation in industry bring about a need for retraining workers in post-high school institutions?
4. What are the present and proposed future roles of existing institutions offering post-high school education? What are their admissions policies? Do they plan to expand their facilities? Are they serving the needs of the communities and the state through their programs and by their geographical location?
5. What methods are used in other states to meet post-high school educational needs?
6. What are the best ways and means of coordinating all branches of higher education in the state (in accordance with functions to be determined by the state legislature)?
7. What sources, amounts, and stability of tax income will be required for education in each section of the state and for the state as a whole?

Copies of the survey should be made available for state-wide distribution to all interested community, social, civic, governmental, and educational agencies.

The following recommendations are offered as guides in the formulation of a state plan of community colleges.

### *Administration*

The state government should be responsible for the supervision and regulation of community colleges.

The community college should be locally controlled.

\* The terms junior college and community college are used interchangeably.

### *A Regulatory Agency*

*An agency at the state level should be established to provide for the orderly development of the system of local community colleges. Some states have established separate boards for the community colleges. Most states utilize an existing Board of Education. If the regulatory agency is to be responsible for other institutions also, then a separate community college bureau or division should be established within it, and this office should have adequate professional staff.*

*In those states where several agencies may have overlapping responsibilities for specific programs in the community colleges, such as adult education or vocational education, the powers and responsibilities of these agencies in their working relationships with the community colleges should be clearly outlined in the state legislation.*

### *Accreditation and Approval*

*Individual community colleges should be responsible to the state regulatory agency for approval and accreditation. They should not be subject to the control of state universities or state colleges or to departments of instruction within these institutions. The state agency should provide professional supervision and consultation to the community colleges to insure effectiveness in meeting community needs and in maintaining standards of instruction and student achievement.*

*Community colleges should be encouraged to qualify as speedily as possible for accreditation by the regional accrediting agency. Where relevant they should be encouraged to secure recognition of their specialized vocational and technical programs by appropriate professional agencies.*

### *Local Control - Local Board*

*Individual community colleges should enjoy a maximum amount of local administrative control and a minimum amount of state control. It has been found that a junior college will best meet the needs of the local community when the control is under a local board for the community college alone. Many community colleges operate under local boards of education which also administer elementary and secondary education. However, as the colleges grow and their programs become more complex, the governing of these institutions requires more attention than most boards can give.*

*Broad authority should be delegated to the local community college board and to the local institution for the formulation of curriculum and services so that the institution will be able to respond appropriately and quickly to community needs.*

*The local board of control should have as its sole or primary function the operation of the college under the provisions of state laws and regulations and in the interest of the community served. For this reason it should be of efficient size and be responsible to the electorate. It is recommended that the number be no fewer than five or more than eleven, and that trustees be elected by vote of the entire district for overlapping terms. To prevent any possible conflict of interest, employees of any school district or other municipal body and persons holding any other public elective office should be ineligible for the board.*

### *Local Districts*

*The district for local control and support should conform*

*as closely as possible to the area from which the students come. The optimum method of districting will vary from state to state, but legislation should encourage the eventual inclusion of every portion of the state in a community college district, while avoiding creation of poorly located or inadequate districts. Communities served by a community college but not included in the community college district should contribute to the support of the college.*

### *Separate Administration, Budget and Staff*

*The administration of the local community college should not be combined with the administration of a high school or other educational unit. The community college should have a separate budget and its own administrative staff with its chief officer reporting directly to the board or to the chief executive officer of the board.*

### *Emphasis on Community College Programs*

*The community college should be primarily concerned with programs terminating below the baccalaureate degree although some curricular offerings may require more than the usual two academic years for completion. State plans for baccalaureate, professional, and graduate degree-granting institutions should be coordinated with the state plan for community colleges, but not substituted for it, in whole or in part. It has been repeatedly established that comprehensive community colleges are not converted into four-year colleges without the danger of depriving the community of many unique services, such as terminal-vocational programs.*

### *Financial Support*

*The state should be responsible for substantial financial support of the community colleges. In a few instances, the state assumes the full responsibility for building and operating the institutions. Where this is not the pattern, the state junior college regulatory agency should draw up formulas for providing state funds for both capital and operational costs in amounts that will insure high quality junior college education in all parts of the state. It is recommended that the state plan serve this purpose by making funds available on an equalization basis to support a certain level of expenditures in each community college district while maintaining equal local tax rates. Legislative appropriations should, of course, fulfill the purposes of the formulas. Generally speaking, the sources of financial support for public community colleges have been state taxes, local taxes, and tuition.*

*New community colleges and those located in less populated areas may require assistance beyond the state formulas.*

### *Tuition*

*Public community colleges should be tuition-free. If tuition fees are charged, they should be kept low enough to permit all qualified students in a junior college area to be served. Such fees should be no more than 20% of the operational cost per full-time equivalent student with a stipulated maximum tuition rate becoming effective when costs rise considerably.*

### *Defining Needs*

*A state plan for supporting community colleges should be based on a definition of need which emphasizes primarily the educational needs of the population to be served rather than assessed valuations.*

### *Enrollment*

*Community colleges should be located where they will enroll a sufficient number of students to permit the development of comprehensive curricular programs. Colleges which are very small will not be able to provide such programs.*

#### *Recommended Enrollment*

*A potential enrollment of 500 full-time students seems to be essential for the development of a comprehensive program. It may be practical for newly established community colleges to begin operations with smaller enrollments and narrower programs. Also, new institutions without immediately available resources of physical plant and institutions in areas with limited population may of necessity conduct programs of limited scope. In those areas where population will support adequate enrollments, the college should be located so as to effect optimum potential enrollment despite the understandable eagerness of certain communities for their own institutions.*

### *Curricula and Services*

*The program of the public community college should be varied and comprehensive. While curriculum development*

and services will depend upon the interests to be served, it is recommended that the following programs be viewed as the proper offerings of a comprehensive community college:

1. General education for all full-time students.
2. Courses, in addition to general education, equivalent to those taken in freshman and sophomore years of the university.
3. Vocational-technical, and semi-professional programs.
4. Continuing or adult education.
5. Community service programs.
6. Services for testing, guidance, and individual development.

Provisions should be made for adequate staff to maintain a continuing study of the total program and for obtaining needed consultation services.

### *Conclusion*

*Fundamentally, the function of the community college is to extend and democratize educational opportunity for all citizens. State plans for the establishment of community colleges based on sound legislative patterns will bring this objective closer to realization.*

December 1960

## APPENDIX C

### Recent State General Enabling Acts For Public Two-Year Colleges

The information provided below is intended to assist persons interested in the format and content of general enabling legislation for public two-year colleges to get additional information on this subject. Copies of the laws listed are on file in the offices of the American Association of Junior Colleges and the U. S. Office of Education in Washington, D. C. Questions concerning particular aspects of the laws can be addressed to these offices. However, persons desiring complete copies of the laws should address requests for them to the Secretary of State, Legislative Reference Bureau, Superintendent of Public Instruction, or similar public official in the state of interest. The following list includes all states which have passed general enabling acts authorizing public two-year colleges or amendments to these acts since 1950.

<i>State</i>	<i>Date of Enactment</i>
Alaska	1953
Arizona	1953, 1960
California	1953, 1955, 1957, 1958, 1959
Colorado	1957, 1959, 1960
Connecticut	1959
Florida	1953, 1955, 1957, 1959
Georgia	1958
Idaho	1953, 1955, 1957
Illinois	1951, 1953, 1955, 1957, 1959, 1961
Iowa	1957
Kansas	1957, 1961
Maryland	1961
Massachusetts	1957, 1958
Michigan	1951, 1955, 1957
Minnesota	1957
Mississippi	1950
Missouri	1961
Montana	1953
Nebraska	1955, 1957
New Mexico	1957
New York	1953, 1955, 1957
North Carolina	1957
North Dakota	1957, 1959
Oregon	1951, 1957, 1959, 1961
Texas	1955, 1957, 1958, 1959
Washington	1961
Wyoming	1951, 1953, 1955, 1957 1959

## APPENDIX D

### Exhibit of a State Law to Provide for the Formation of Junior College Districts

#### *General Enabling Act, State of Missouri, 1961*

Repeatedly, during recent months, the American Association of Junior Colleges has received requests for illustrations of statutes passed by state legislatures to provide a general legal base for public two-year colleges. These requests are motivated by the desire of persons interested in similar legislation in their own states to profit by the experience in others. Recognizing the limitations to such exchange and the fact that no state legislation can be expected realistically to adhere to all of the principles established for a general enabling law for two-year colleges, the Association considered it to be advantageous to include in this report an exhibit of a state law. The statute passed by the 1961 Legislature of Missouri, reproduced below, was chosen because it is one of the most recent general enactments of this kind and because it represents adherence to most of the principles advanced by the Commission on Legislation of the American Association of Junior Colleges.

[TRULY AGREED TO AND FINALLY PASSED]

SENATE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 7

71ST GENERAL ASSEMBLY

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## AN ACT

To provide for the formation of junior college districts and to establish the powers and duties of the state board of education with respect thereto.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section 1. A junior college district may be established.

- 2 In any public school district, or in any two or more contiguous
  - 3 public school districts in this state, whether in the same county
  - 4 or not, the qualified voters resident therein may organize a
  - 5 junior college district in the manner hereinafter provided.
  - 6 Prior to the organization of any such district under this act,
  - 7 the state board of education shall establish standards for the
  - 8 organization of any such district which shall include among
  - 9 other things:
- 10 (1) Whether a junior college is needed in the proposed
  - 11 district;

12           (2) Whether the assessed valuation of taxable, tangible  
13 property in the proposed district is sufficient to adequately  
14 support the proposed junior college; and

15           (3) Whether there were a sufficient number of graduates  
16 of high school in the proposed district during the preceding  
17 year to support a junior college in the proposed district. When  
18 such a district is organized, it shall be a body corporate and  
19 a subdivision of the state of Missouri and shall be known as  
20 "The Junior College District of . . . . ., Missouri"  
21 and, in that name, may sue and be sued, levy and collect taxes  
22 within the limitations of this act, issue bonds and possess the  
23 same corporate powers as common, city, town, consolidated  
24 and reorganized school districts in this state, except as herein  
25 otherwise provided.

          Section 2. 1. Junior college districts formed prior to  
2 the effective date of this act and those formed under the pro-  
3 visions of this act shall be under the supervision of the state  
4 board of education.

5           2. It shall be the duty of the state board of education to:

6           (1) Establish the role of the two-year college in the state;

7           (2) Set up a survey form to be used for local surveys of  
8 need and potential for two-year colleges; provide supervision  
9 in the conducting of surveys; require that the results of the  
10 studies be used in reviewing applications for approval; and  
11 to establish and use the survey results to set up priorities;

12           (3) Require that the initiative to establish two-year col-  
13 leges come from the area to be served;

14           (4) Administer the state financial support program;

15           (5) Supervise the junior college districts formed under  
16 the provisions of this act and the junior college districts now  
17 in existence and formed prior to the effective date of this  
18 act;

19           (6) Formulate and put into effect, uniform policies as  
20 to budgeting, record keeping, and student accounting;

21           (7) Establish uniform minimum entrance requirements  
22 and uniform curricular offerings for all junior colleges;

24           (8) Make a continuing study of junior college education  
25 in the state; and

26 (9) Be responsible for the accreditation of each junior  
27 college under its supervision. Accreditation shall be con-  
28 ducted annually or as often as deemed advisable and made  
29 in a manner consistent with the rules and regulations estab-  
30 lished and applied uniformly to all junior college districts in  
31 the state. Standards for accreditation of junior colleges shall  
32 be formulated with due consideration given to curriculum  
33 offerings and entrance requirements of the University of Mis-  
34 souri.

Section 3. The boundaries of any junior college district  
2 organized under this act shall coincide with the boundaries  
3 of the school district or of the contiguous school districts pro-  
4 posed to be included, and such junior college district shall be  
5 in addition to any common, city, town, consolidated, reor-  
6 ganized, special or other school districts existing in any por-  
7 tion of such area.

Section 4. Whenever there is presented to the state board  
2 of education a petition, signed by qualified voters in each  
3 common, city, town, consolidated and reorganized school dis-  
4 trict within a proposed junior college district area, equal in  
5 number to five per cent of the number of votes cast within  
6 each such component school district at the last preceding  
7 school election in each such school district at which a director  
8 was elected, praying that a junior college district be organ-  
9 ized for the purpose of offering junior college (13th and 14th  
10 year) courses, should the state board of education determine  
11 that the area proposed to be included within said district meets  
12 the standards established by it under the provisions of this  
13 act, it shall order an election held within the proposed district  
14 to vote on the proposal and to elect trustees, at the next fol-  
15 lowing annual school election or meeting. Should annual  
16 school elections of component school districts within a pro-  
17 posed junior college district area not be held on the same  
18 date, the state board of education shall set the date for the or-  
19 ganization election. At such election, the proposition shall be  
20 in substantially the following form:

21 PROPOSITION  
22 Shall there be organized within the area comprising the

23 School Districts of . . . . ., state of Missouri,  
24 a junior college district for the offering of 13th and 14th year  
25 courses, to be known as the Junior College District of . . . . .  
26 . . . . ., Missouri, having the power to impose a  
27 property tax not to exceed the annual rate of . . . . . cents on  
28 the one hundred dollars assessed valuation of taxable prop-  
29 erty without voter approval and such additional taxes as  
30 may be approved by vote thereon, as prayed in petition filed  
31 with the state Board of Education at Jefferson City, Missouri,  
32 on the . . . . . day of . . . . ., 19 . . . ?

33 For organization . . . . .

34 Against organization . . . . .

35 The election shall be conducted in the manner provided under  
36 the school law. Within fifteen days after such election, the re-  
37 sults shall be transmitted by those receiving the same under  
38 law in each component district to the state board of education,  
39 by certificates attesting to the total number of votes cast within  
40 each such district on said proposition, the votes cast for and  
41 against said proposition and the votes cast for each candidate  
42 for trustee, together with the tally sheets attested to by the  
43 judges and clerks of election at each polling place within each  
44 such district. The proposal to organize the junior college dis-  
45 trict, to carry, must receive a majority of the total number of  
46 votes cast thereon and the secretary of the state board of edu-  
47 cation, from the results so certified and attested, shall deter-  
48 mine whether the proposal has received the majority of the  
49 votes cast thereon and shall certify the results to the state  
50 board of education. Should the secretary of the state board of  
51 education certificate show that the proposition to organize  
52 such junior college district has received a majority of the  
53 votes cast thereon, the state board of education shall make an  
54 order declaring the junior college district organized and cause  
55 a copy thereof to be recorded in the office of recorder of deeds  
56 in each county in which a portion of such new district lies.  
57 If the proposition carries, the board shall also determine which  
58 candidates have been elected trustees under section 5. Should  
59 the proposition to organize the district fail to receive a major-  
60 ity of the votes cast thereon, no tabulation shall be made to  
61 determine the candidates elected trustees.

Section 5. 1. In the organization election six trustees  
2 shall be elected at large, except, that should there be in such  
3 proposed junior college district one or more school districts  
4 with more than thirty-three and one-third per cent and not  
5 more than fifty per cent of the total school enumeration of  
6 the proposed district, as determined by the last school enumer-  
7 ation, then each such district shall elect two trustees and the  
8 remaining trustees shall be elected at large from the re-  
9 mainder of the proposed district. Should any such school dis-  
10 trict have more than fifty per cent and not more than sixty-six  
11 and two-thirds per cent of the total school enumeration of  
12 the proposed district then three trustees shall be elected at  
13 large from such school district and three trustees at large from  
14 the remainder of the proposed district. Should any such school  
15 district have more than sixty-six and two-thirds per cent of  
16 the total school enumeration of the proposed district then four  
17 trustees shall be elected at large from such school district and  
18 two trustees elected at large from the remainder of the pro-  
19 posed district. If the trustees are elected at large throughout  
20 the entire proposed district, the two receiving the greatest  
21 number of votes shall be elected for terms of six years each,  
22 the two receiving the next greatest number of votes, for terms  
23 of four years each, the two receiving the next greatest number  
24 of votes, for terms of two years each. If the trustees are elected  
25 in any manner other than at large throughout the entire pro-  
26 posed district, then the trustees elected shall determine by lot  
26a the two who shall serve for six years, the two who shall serve  
27 for four years and the two who shall serve for two years.  
28 Thereafter, all trustees elected shall serve for terms of six  
28a years each.

29 2. Candidates for the office of trustee shall be citizens of  
30 the United States, at least thirty years of age who have been  
31 resident taxpayers of the proposed district for at least one  
32 whole year preceding the election and, if trustees are elected  
33 other than at large they shall be resident taxpayers of those  
34 election districts for at least one whole year next preceding  
35 the election. All candidates for the first board of any such  
36 district shall file their declarations of candidacy with the state

37 board of education at least thirty days prior to the date of the  
38 organization election.

Section 6. Notice of the organization election shall be  
2 given by the state board of education by publication in at  
3 least one newspaper of general circulation in each county in-  
4 cluding any portion of the proposed junior college district, and  
5 within each city not in a county within such district, once a  
6 week for three consecutive weeks, the last insertion to be no  
7 longer than one week prior to the date of election. The elec-  
8 tion shall be conducted in the same manner, at the same  
9 polling places and by the same election officials who are con-  
10 ducting elections on that day in each component school dis-  
11 trict. Should there be no school election conducted on that  
12 day in any component school district within the proposed  
13 junior college district, then for such component school dis-  
14 trict the polling places and the judges and clerks of election  
15 shall be selected and the election conducted in the same man-  
16 ner and by the same board or body as select judges and clerks  
17 and conduct elections in that component district.

Section 7. Newly elected members of the board of trus-  
2 tees shall be qualified by taking the oath of office prescribed  
3 by article VII, section 2, of the constitution of Missouri. The  
4 board shall be organized by the election of a president and  
5 vice-president, a secretary and a treasurer, said secretary and  
6 treasurer may be or may not be members of the board. A  
7 majority of the board shall constitute a quorum for the trans-  
8 action of business, but no contract shall be let, teacher em-  
9 ployed or dismissed, or bill approved unless a majority of the  
10 whole board shall vote therefor. Any vacancy occurring in  
11 the board shall be filled by appointment by the remaining  
12 members of the board, and the persons appointed shall hold  
13 office until the next election held by such junior college dis-  
14 trict when a trustee shall be elected for the unexpired term.  
15 The board shall keep a common seal with which to attest its  
16 official acts.

Section 8. After organization, the qualified voters of the  
2 junior college district shall vote for trustees and on all other  
3 propositions provided by law for submission at school elections  
4 which are applicable to junior college districts. Should any

5 component school district hold its elections on the first Tues-  
6 day after the first Monday in April in the years such proposi-  
7 tions must be voted upon, then such elections shall be held  
8 in the same manner and with elections being held in the com-  
9 ponent common, city, town, consolidated and reorganized  
10 school districts within the boundaries of such junior college  
11 district. If no school election is held in any school district  
12 within a junior college district on the date of an election in a  
13 junior college district under this section, then the board of  
14 trustees of such junior college district shall provide polling  
15 places and election officials in the same manner as such places  
16 and officials are provided for organization elections for com-  
17 ponent districts not having an annual election as provided  
18 under section 6 of this act. In all other junior college districts  
19 such elections shall be held on the first Tuesday in April in  
20 the years such propositions shall be voted upon. All costs in-  
21 cident to such elections shall be borne by the junior college  
22 district: Notice of all such elections shall be given by the  
23 board of trustees by publication in at least one newspaper  
24 of general circulation within each county, and within each city  
25 not in a county within such district, at least once a week for  
26 three consecutive weeks, the last insertion to be no longer  
27 than one week prior to the date of election. Should trustees  
28 be elected other than at large throughout the entire district,  
29 then only those qualified voters within the district from which  
30 the trustee or trustees are to be elected shall cast their bal-  
31 lots for the trustee or trustees from that district. All candi-  
32 dates for the office of trustee shall file their declarations of  
33 candidacy with the secretary of the board of trustees at least  
34 thirty days prior to the date of election. If voting machines  
35 are not used in a common city, town, consolidated or reor-  
36 ganized school district which is within such junior college  
37 district, then the board of trustees shall cause ballots to be  
38 printed and distributed for the polling places in such com-  
39 ponent districts at the expense of the junior college district,  
40 but in all other respects said elections shall be held at the  
41 same time, in the same places and shall be conducted by the  
42 same officials for elections being held in such common, town,  
43 city, consolidated, and reorganized school districts. The secre-

44 tary of the board of education, district clerk or the board of  
45 election commissioners, as the case may be, in each component  
46 school district, shall certify to the board of trustees of the  
47 junior college district the total number of votes cast for each  
48 candidate and the votes cast on all questions submitted within  
49 fifteen days after any election. Within forty-eight hours there-  
50 after, at least a majority of the then qualified members of the  
51 board of trustees of such junior college district shall jointly  
52 tabulate the results so received, shall declare and certify the  
53 candidates receiving the greatest number of votes for terms  
54 of six years each and until their successor shall have been  
55 elected and qualified and shall declare and certify the results  
56 of the votes cast on any question presented at such election.  
57 "Qualified voters", under the provisions of this act, shall mean  
58 those voters qualified to vote in the school election of the com-  
59 ponent common, city, town, consolidated or reorganized school  
60 district.

Section 9. A junior college district organized under this  
2 act shall provide instruction, classes, school or schools for  
3 pupils resident within the junior college district who have  
4 completed an approved high school course. The board of  
5 trustees of such district shall determine the per capita cost  
6 of such college courses, file the same with the state board of  
7 education and upon approval thereof by the state board of  
8 education, shall require of all nonresidents who are accepted  
9 as pupils, a tuition fee in such sum as may be necessary for  
10 maintenance of such college course or courses. In addition  
11 thereto, such board may charge resident pupils such amounts  
12 as it deems necessary to maintain such college courses, tak-  
13 ing into consideration such other funds as may be available  
14 under law for the support of such college courses.

Section 10. The board of trustees shall appoint the em-  
2 ployees of the junior college, define and assign their powers  
3 and duties and fix their compensation. All certificated per-  
4 sonnel shall be members of the public school retirement sys-  
5 tem of Missouri under provisions of section 169.010, RSMo.

Section 11. Any tax imposed on property subject to the  
2 taxing power of such junior college district under article X,  
3 section 11 (a) of the constitution without voter approval shall

4 not exceed the annual rate of ten cents on the hundred dollars  
5 assessed valuation in districts having one billion dollars, or  
6 more, assessed valuation; twenty cents on the hundred dollars  
7 assessed valuation in districts having more than five hundred  
8 million dollars but less than one billion dollars assessed valu-  
9 ation; thirty cents on the hundred dollars assessed valuation  
10 in districts having more than one hundred million dollars but  
11 less than five hundred million dollars assessed valuation; and  
12 forty cents on the hundred dollars assessed valuation in dis-  
13 tricts having less than one hundred million dollars assessed  
14 valuation. Increases of the rate with voter approval shall be  
15 made in the same manner as in common, city, town, consoli-  
16 dated, and reorganized districts.

Section 12. All real and tangible personal property  
2 owned by railroads, street railways, boats, vessels, bridge  
3 companies, telegraph companies, electric light and power  
4 companies, electric transmission line companies, pipe line com-  
5 panies, express companies, air line companies and other com-  
6 panies and public utilities whose property is assessed by the  
7 State Tax Commission shall be taxed at the same rate of  
8 taxation which is levied on other property in such junior col-  
9 lege district in the same manner and to the same extent that  
10 such property is subject to assessment and taxation for gen-  
11 eral county purposes, and all of the provisions of Chapters  
12 151, 153, 154, and 155, RSMo 1959, shall likewise apply to  
13 taxation by such junior college districts to the same extent  
14 as if such junior college districts were specifically included  
15 in the provisions contained in said Chapters 151, 153, 154, and  
16 155, except that the taxes levied by such junior college dis-  
17 tricts shall not be included for the purpose of determining  
18 the average school levy for the other school districts in the  
19 county in which they are situated. The taxes so levied against  
20 such property by such junior college districts shall be col-  
21 lected in the same manner as taxes are collected on such prop-  
22 erty from general county taxes.

Section 13. 1. All students, resident in the state of Mis-  
2 souri attending schools or classes of the junior college district  
3 shall be included in the attendance records of the junior col-  
4 lege district for the apportionment of school funds. The junior

5 college district shall be entitled to receive from state funds  
6 appropriated for junior college purposes the sum of two hun-  
7 dred dollars for each thirty semester hours of college credit  
8 completed by all students in the junior college during the pre-  
9 ceding year; provided, however, that any junior college dis-  
10 trict organized under the provisions of this act shall be en-  
11 titled to state aid as provided in this section during the first  
12 year of its organization on an estimated number of semester  
13 hours of college credit completed by all students, this estimate  
14 to be adjusted on an actual number of college hours com-  
15 pleted at the end of the year as defined in this act. A year is  
16 defined as from July 1 to June 30 of the following year. The  
17 term semester hour completed means for the purpose of such  
18 claims actual participation during half or more of the session  
19 such course is offered. In the case of semester hours com-  
20 pleted in a summer school session, the claim for such reim-  
21 bursement shall be presented in the claim covering that par-  
22 ticular school year in which such summer session ends. The  
23 actual number of pupils in attendance shall be computed by  
24 taking the total number of semester hours of work in which  
25 all junior college students are registered as of November 1  
26 and March 1 in any school year and dividing by thirty.

27 2. School districts offering two-year college courses  
28 under section 165.123, RSMo, on the effective date of this act  
29 shall receive state aid under subsection 1 of this section pro-  
30 vided all standards established under and pursuant to this  
31 act are met.

Section 14. Whenever there is within any school district  
2 any school property that is not required for the use of the  
3 school district and such property could be used for purposes  
4 of offering education beyond grade twelve by an institution  
5 of higher education, the board of education is hereby author-  
6 ized to lease or sell and convey the same to such public in-  
7 stitution, and the proceeds derived from such sale shall be  
8 placed to the credit of the building fund of such district.

Section 15. Whenever the area of an entire school district  
2 which adjoins a junior college district organized under this  
3 law desires to be attached thereto and become a part of such  
4 junior college district it may do so in the same manner as is

5 provided for annexation under section 165.300, RSMo; pro-  
6 vided that whenever the area of an entire school district  
7 which adjoins a district offering a two year college course  
8 under Section 165.123, RSMo, on the effective date of this  
9 act and receiving aid under subsections 1 and 2 of section 13  
10 of this act, desires to be attached thereto for junior college  
11 purposes only, such annexation shall be completed under sec-  
12 tion 165.300, RSMo, except that upon such annexation, a spe-  
13 cial junior college district shall be established in the entire  
14 area as provided in this act. If the board of trustees of the  
15 receiving district rejects the petition for annexation, the  
16 state board of education may be petitioned for a hearing and  
17 upon receipt of such petition the state board shall establish the  
18 time and place and proceed to a hearing. If the state board of  
19 education finds that refusal to honor the petition for annexa-  
20 tion has been made without good cause, the state board in  
21 its discretion may withhold a portion or all of the state aid  
22 from said district which is payable under the provisions of  
23 this act.

Section 16. All junior colleges established prior to the  
2 effective date of this act shall be under the supervision of the  
3 state board of education and shall conform to the scholastic  
4 standards established by the board, but no such district may  
5 be dissolved except as now provided by law and in no instance  
6 because it does not meet the standards for organization es-  
7 tablished by the state board of education under the provisions  
8 of section 1 of this act.