

Veto override clears path to state college coordination

By Rex Henderson

The State of Nebraska Wednesday began a new, unique and often delayed attempt to coordinate public higher education.

The Legislature overrode Gov. J. James Exon's veto of LB756, a bill that legislators hope will end the duplication of services between the University of Nebraska, the four state colleges and the vocational-technical community colleges.

Efforts to coordinate higher education date to 1942, when the first legislative study of the problem began.

The bill, a result of four years of hearings takes the unprecedented step of assigning the roles of each of the institutions and the priorities within them.

According to a prime mover behind the bill, Sen. Jerome Warner of Waverly, the intent of the legislation is to "provide adequate educational opportunities and accessibility at an affordable price, for both students and taxpayers."

What they do in practice, Warner said, is threefold.

—They provide a policy guideline for the Legislature;

—They place limitations and authorizations on funds allocated by the state to higher education;

—They establish priorities for each of the three college systems.

Under the provisions of LB756 the University of Nebraska gets sole responsibility for doctoral, first professional cooperative agriculture extension programs, statewide responsibility for continuing education services and sole responsibility for all graduate programs at the specialist and master's degree level. The only graduate programs allowed at the other institutions

are in education.

The most severe limitations are on the state and community colleges.

The NU limitations include a ban on associate degrees except in agriculture, radiology, radiation therapy, nuclear medicine technology and engineering technology.

Programs leading to an associate degree in general studies at the University of Nebraska at Omaha and secretarial science programs at Lincoln and Omaha, will be discontinued.

Through the ten drafts of the bill most of the language objected to by the NU Board of Regents was changed.

But even after adopting the university's suggested amendments, some still question the bill.

James Lake, president of the UNL Faculty Senate, said the faculty "is skeptical about the wisdom of the Legislature attempting to assign priorities in mission and role." The faculty believes that the regents should make those decisions, he said.

In his veto message, Exon said it represents an unconstitutional "continuing attempt at overregulation of the (NU) Board of Regents, the (state college) Board of Trustees and technical com-

munity college area governing boards by the Legislature."

The constitutionality question has arisen since the Nebraska Supreme Court ruled last year that the regents hold the power to govern NU. By implication the decision also gives the Board of Trustees ultimate power over the state colleges.

Warner argues that the decision applies only to funds generated by the institutions through tuition, federal grants and private donations. Responsibility for the expenditure of state general funds resides in the Legislature, he said.

The bill applies only to the expenditure of state general funds, Warner said, and therefore is constitutional.

But because it applies only to general funds, there is a loophole for NU and the colleges to slip through. They can legally develop programs not in compliance with the bill, as long as they don't use state money.

Warner discounts the probability of that happening.

"Such actions would damage the credibility of those institutions," Warner said. The Legislature might be inclined to cut the allocation to any institution that repeatedly defied the bill, he said.

The bill, which effectively makes the Legislature the coordinating commission for higher education in the state has been criticized for exposing the institutions to increased political pressure.

Warner contends that political pressure will not increase, but may even decrease.

It is better to keep the "politicization" of the colleges on the floor of the Legislature, where it is visible, he said.

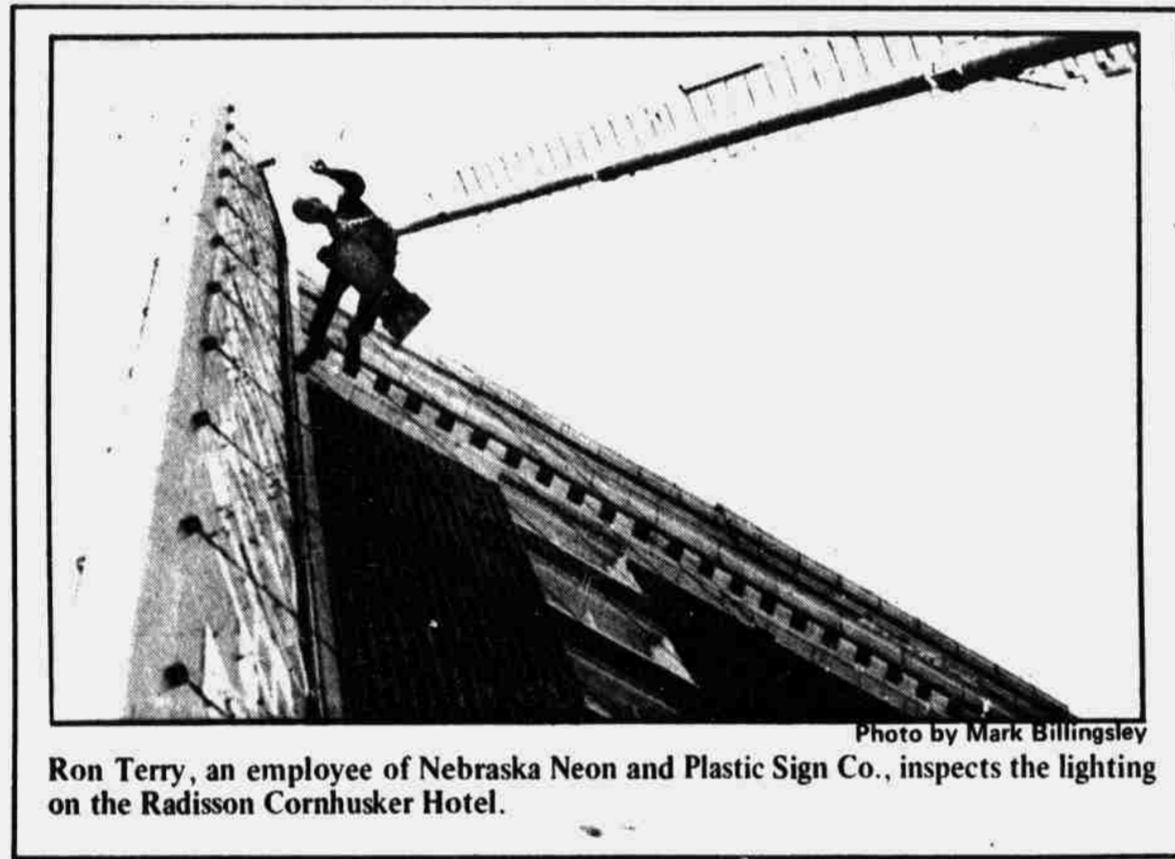


Photo by Mark Billingsley
Ron Terry, an employee of Nebraska Neon and Plastic Sign Co., inspects the lighting on the Radisson Cornhusker Hotel.

YAF state chairman protests ASUN student court suit

By Kris Hansen

The president of the Nebraska Young Americans for Freedom, Terry Cannon, claims ASUN's planned suit against YAF is an attempt to stifle opposition to ASUN.

ASUN President Ken Marienau said he will file a petition with the Student Court today bringing charges against the Young Americans for Freedom.

Three basic charges constitute the case against YAF: failure to have an active bank account in the Student Activities fund, the presence of "non-students" in the organization, and "unethical" actions taken against Nebraska University Public Interest Research Group in a letter-writing campaign.

"The whole thing is an attempt to stifle any opposition to them (ASUN)," Cannon said. "The state YAF has soundly trounced the poor children in student government before the NU Board of Regents, so they're retaliating against the UNL chapter."

ASUN charges that YAF has had "no

activity" in its bank account with Student Activities for over a year. All student organizations must route all monies through Student Activities, according to university by-laws. However, YAF has participated in several mailings this year which were not handled through its fund.

"We just haven't had any transactions of large enough consequence that needed to be handled there," said Jeff Chizek, president of the campus YAF chapter. "There are probably other groups on this campus that don't have active accounts, either. They're trying to tag us with the letters, but that was done at the state level, even if it had the campus chapter's name on it."

ASUN also cites references to "non-students" in YAF's constitution as against model constitutional rules, which specify that members of student organizations must be members of the university.

Chizek said they did have two members currently who were not UNL students. One

is their adviser and one is the spouse of a member.

However, Chizek said, "ASUN reviews our constitution, like all others, yearly. There was no problem before, and non-students was directly worded. Now it's a problem, and we'll be hung. They should have said something then."

Chizek discounted the ethics charge by claiming there were no untruths in the letter. Cannon added, "The whole ethical thing is based on their analysis — if you follow their logic far enough, it says it's unethical to disagree with the regents. Even the play-pen politicians can't say that."

Cannon claimed that YAF never asked for an investigation of NUPIRG's constitution, "especially since ASUN wouldn't be fair."

"What we wanted to do was expose NUPIRG as a politically biased organization and remove their support from mandatory student fees. This whole thing is a straw

man to divert people's attention from the real issue," Cannon stated.

"ASUN doesn't want anyone with a different view around or anyone to question their orthodoxy. It deprives them of resume stuffers," Cannon added.

Cannon complained about ASUN "keeping everything hidden." He explained, "We were never confronted with the charges, we were denied a public hearing — there's a whole list of things."

Chizek agreed that "a lot was going on behind our back. I'd like to see formal charges, I'd like to see Don Macke's (NUPIRG) accusations, and I'd like to know what has gone on in ASUN's closed meetings."

Chizek said he felt fairly sure about the student court case. "I'm not going to lose any sleep over it," he said. "We feel prepared to explain everything."

According to Marienau, ASUN may recommend anything from no action to revoking YAF's constitution to Student Court, which makes the final decision. At the Wednesday Senate meeting, Marienau said he would prefer not to recommend revoking the constitution, since it would only drive the group off campus.

Nicodemus suing UNL

Five NU Regents and three UNL administrators have been named in a \$329,500 damage suit filed by former UNL women's basketball coach George Nicodemus stemming from his dismissal last June.

The suit, filed Wednesday in U.S. District Court, is based on Nicodemus' claim that he did not receive due process when he was fired last year and that he was unable to apply for positions at other universities due to how late he was fired.

Nicodemus was formally fired last June by UNL athletic director Bob Devaney. He was notified of the termination by Women's Athletic Director June Davis last May.

Davis and Devaney are named as co-defendants in Nicodemus' suit along with the five regents who voted against

rehiring Nicodemus in March.

The five regents named as co-defendants in the suit are: Robert Koeffoot of Grand Island, Robert Raun of Minden, Edward Schwartzkopf of Lincoln, Kermit Hansen of Omaha, and Robert Simmons of Scottsbluff.

Also named as co-defendant is Ned Hedges, UNL vice chancellor for academic affairs.

Nicodemus served as coach for two years, one year without pay. He was paid \$12,000 for coaching in the 1976-77 school year.

Nicodemus now is head coach of the Des Moines based Iowa Cornets, in the new women's professional basketball league.

Contacted in Des Moines, Nicodemus would not comment on the suit on the advice of his attorney.



Photo by Ted Kirk
George Nicodemus, former UNL women's basketball coach.

inside
friday

Legislature passes pot: Bill decriminalizing marijuana possession on first offense gets senators' OKpage 2
Stroke, stroke, stroke, breathe: New UNL men's swimming coach hopes to revive floundering team.page 10
Union renovations may proceed: Union director says he will take action if the Union Board does notpage 6