

Daily Nebraskan

December 14, 1990

University of Nebraska-Lincoln

Vol. 90 No. 75

Official: Racial imbalance requires action

NU scholarships defended

By Stacey McKenzie
Staff Reporter

The Education Department's decision Wednesday that minority scholarships are "generally illegal" has spurred some University of Nebraska officials to defend the scholarships' legality.

The Davis Scholarship, set up by a \$1 million endowment fund awarded only to African American, American Indian and Latino students, was designed to "correct a societal wrong because of almost 200 years of racial segregation," said James Griesen, UNL vice chancellor for student affairs.

The fund was established with a \$200,000 grant from Dick Davis of Omaha and an \$800,000 appropriation from the Nebraska Legislature.

The scholarships will be awarded "only if there is statistically significant underrepresentation of any minority of the student population in each university population," he said. NU has a "documented racial imbalance," he said. "Our posture is that affirmative action of this kind is warranted to correct the wrong of our society."

The Education Department's announcement arose from a decision by Fiesta Bowl officials to contribute \$100,000 to each bowl participant — the universities of Alabama and Louisville. The money was desig-

nated for minority scholarships.

Since notification by the Education Department that the scholarship offers were not legal under Title VI of the Civil Rights Act of 1964, Fiesta Bowl officials redesignated the money to be awarded to financially disadvantaged students, said Brent Deraad, director of public affairs for the Fiesta Bowl.

Deraad said that although the officials had hoped the money would be earmarked for minority students, they would abide by the Education Department's decision.

Griesen said, "There's a big difference between the Fiesta Bowl gift and what we're (NU) doing."

"The Department of Education used it (the Fiesta Bowl announcement) to raise a broader issue," Griesen said, and Michael Williams, the assistant secretary of education for civil rights, "hasn't been crystal clear on the guidelines."

Williams said in a statement that the new policy would clearly explain that institutions can consider race a positive factor in offering scholarships among similarly qualified individuals "if the institution is one where there has been limited participation of a particular race."

The Education Department is working to "set a policy across the board" for race-exclusive scholarships, he said.

Davis, director of administration and government relations for Northern Plains Natural Gas Co., said the Education Department has taken "too broad of a stroke" with the decision.

Legislation for the Davis Scholarship was "painstakingly" drafted to ensure its legality, Griesen said.

Richard Wood, NU vice president and general counsel, said legislation for the Davis Scholarship is lawful and constitutional.

"If they formally advise us that what we are doing is not legal, we will need to consider challenging," he said.

"Some programs are pretty broad," he said. "They offer a tremendous amount of latitude. Ours (NU's) are very specific to meeting the needs of students."

Griesen said that when considering scholarship applicants, "We (NU) are not barred from taking race into account. That is generally the way we operate."

The university cannot establish quotas but can address, as institutional goals, "greater racial balance," he said.

He said he doesn't think the Education Department will do anything "rash" but that the university might challenge the decision if needed.

"Or we might go back to the Leg-

See MINORITIES on 3

Regent could lose phone service

By Cindy Wostrel
Staff Reporter

NU Regent Robert Allen might lose his phone service if he continues taping phone calls, an official said.

Herb Sherdon, director of communications for the Nebraska Public Service Commission, said that recording phone calls without notifying the person on the other end verbally or using a beep tone violates Lincoln Telephone Co. rules. Hastings, Allen's hometown, is under LT&T jurisdiction, Sherdon said.

The Federal Communications Commission has a similar rule.

Allen said he taped phone conversations with NU President-elect and UNL Chancellor Martin Massengale in which Massengale gave him information and advice during Allen's 1988 campaign for regent. That violates

regents' rules on campaigning, he said. The policy states that no NU administrative officer can participate directly or indirectly in a Board of Regents campaign.

Allen has said he routinely tapes phone calls when details are involved.

Sherdon said the penalty for continuing to violate the code after a warning is loss of phone service. An added penalty that could result is a civil lawsuit, he said.

Allen dismissed the possibility of loss of service, saying he gives the phone company a lot of business.

"I doubt they would cut me off," Allen said, "and if they did, it would be the best thing that ever happened." Then he could get his work done, he said.

Allen said he isn't sure whether Massengale knew that the conversations were being taped.

"He must have known" that Allen

wasn't writing all the information down, Allen said. Massengale knows that Allen uses a speaker-phone, Allen said.

The information Massengale gave Allen was transcribed to paper and is no longer stored on tape, Allen said. The information totaled 30-40 pages, he said.

Allen said he's not sure whether he will continue to tape his phone messages in the same manner.

"It depends," he said. No state or federal law prohibits his taping phone calls without notifying the other person, he said.

Sherdon agreed, saying wiretapping is not illegal if one party consents to it.

Gene Crump, Nebraska assistant attorney general, said he is unaware of any state laws regulating the taping of phone conversations by private individuals.

Friday

Clarification: A statement by David Dier in Thursday's Daily Nebraskan should have said four or five chickens are placed in 12-inch cages at some Nebraska poultry farms.

WEATHER

Today, mostly cloudy with a 20 percent chance of light rain in the afternoon, south winds 10-20 miles per hour, high near 40. Tonight, cloudy with a 30 percent chance of light or freezing rain, changing to snow after midnight, low in the mid 20s. Saturday, 20 percent chance of light snow in the morning, high in the mid 30s.

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Salary comparisons

1987-88 AAU Land-grant academic year average salary comparisons.



Official: Salaries improving at UNL

Editor's note: This is the fourth article in a five-part series on the University of Nebraska-Lincoln's peer institutions. The final installment will examine the peer groups used by UNL's peer institutions.

By Michael Ho
Staff Reporter

University of Nebraska-Lincoln faculty salaries, although still low, are becoming more competitive, the president of the Academic Senate said.

"We are able to hire people who, two or three years ago, we wouldn't have been able to approach," said James McShane. "They wouldn't have

answered our ads."

In 1978, UNL was paying its professors 9 percent less than the average peer institution. But by 1987, UNL's professors were taking home 19 percent less than their counterparts at the peer universities.

In 1988, the Nebraska Legislature initiated a three-year plan to bring salaries at the University of Nebraska closer to those of its peer group.

Those institutions — Illinois, Iowa State, Maryland, Michigan State, Minnesota, Missouri, Ohio State, Penn State, Purdue and Wisconsin — are the 10 universities to which UNL compares itself in most academic areas.

The extra money from the Legislature, combined with Gov. Kay Orr's Research Initiative, started UNL's climb up the peer group

See PEER on 3

Regents to consider revised state budget request

By Sara Bauder Schott
Senior Reporter

The NU Board of Regents on Saturday will consider a revised budget request for 1991-93 at its regular meeting.

Parts of the university budget were not considered when the board approved a 12.3 percent increase in the state budget request at its September meeting, said Randal Haack, NU director of budget and analysis. The revision changes NU's requested budget increase from the state to 14.1 percent.

If the board approves the budget revisions, the university budget will be submitted to the governor's office next week. About one-third of the university's budget is state supported, Haack said.

The total cost of the requested revisions for 1991-92 is \$4,731,000, an increase of 1.7 percent in state support from the original request. For 1992-93, the revisions would cost \$5,761,000, or 1.8 percent more in state support.

The revisions bring the total state request to \$309,932,449 for the first year of the biennium and \$353,352,625 for the second year.

The revised budget request includes \$300,000 in 1991-92 to accommodate LB247, which will bring Kearney State College into the university

system. The money would be used to establish a computer link between Kearney and the university and to hire more staff. KSC will become part of the university system July 1, 1991.

The biggest item on the revised request is educational enhancement at \$7,995,000 over the next two years. UNL would receive \$3.66 million of that request. Over the two years, \$1.8 million would go for more UNL faculty members in general education, arts and sciences, and business. New equipment for lab classes at UNL would make up another \$1.12 million of the request.

The University of Nebraska Medical Center would receive \$1.79 million, the University of Nebraska at Omaha \$1.54 million and the University of Nebraska at Kearney just more than \$1 million for educational enhancement.

The regents also will consider approval for a revised program statement on the College of Business Administration renovation and addition project, which will cost \$7,250,900. The revisions to the plan, which originally was approved May 11, 1990, include moving the proposed addition from the north side of the CBA building to the east side and making the addition smaller by eliminating a lecture hall.

The regents will meet at 8:30 a.m. in Varner Hall.

Areas of change in the revised 1991-93 biennial budget request

Revised Request	91-92 Request	% Inc State Support	92-93 Request	% Inc State Support
Educational Enhancement	\$2,775,000	1.0%	\$5,220,000	1.7%
Telecommunication	377,000	0.1%	86,000	0.0%
Administrative Systems	729,000	0.3%	0	0.0%
LB 247 Impact	300,000	0.1%		0.0%
Social Security Change	550,000	0.2%	455,000	0.1%
Total Revisions	4,731,000	1.7%	\$5,761,000	1.8%

Source: Office of the president

Brian Shellito/Daily Nebraskan