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Deanspeak: Independence Day?

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Independence Day?

Tuesday, Nov. 19, was, by all outward signs, a very normal day at UB Law School. Students trudged wearily from class to class, looking forward to the Thanksgiving break; faculty picked up the pace of their teaching, hurrying to get through the material they planned to cover before the semester ended; and the administrative staff kept the paperwork moving. But beneath this quiet exterior, a major change in the future of the Law School was impending.

While the daily routine of Law School life played out, the SUNY Board of Trustees was meeting to consider an emergency request from the University at Buffalo to increase the Law tuition for spring semester by $625, to a new annual rate of $7,350.

A midyear tuition increase was unusual, and probably unprecedented in the history of the Law School; equally unique was the way in which the revenues from the increase will be handled. Rather than going into a general revenue account in Albany where they could be reallocated anywhere in the SUNY system, these revenues were designated to remain on campus, where they can be used to support the curriculum improvements that we have put in place over the past three years.

How did we get to this point? The story began last July – appropriately enough, around Independence Day, when the state budget finally came together. By this time, we were already more than three months into the fiscal year, and commitments for the fall semester that would begin in
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September had long been made. Faced with an inexorably moving calendar and an immovable state budget process, the Law School and the University had been forced to make plans based on best estimates of the likely state budget. Through the spring, those best estimates included a small tuition increase for students; but the budget that came together in July was not only late, but light – it froze tuition at the prior year’s levels. Faced with a substantial shortfall, the system did the only thing it could under such circumstances: It pro-rated the cuts equally across the campuses, and the University at Buffalo in turn passed along percentage budget reductions to academic units like the Law School.

This put us in a serious bind, because we had committed ourselves to rapid implementation of the New Curriculum, and therefore had no significant surplus in our budget. Without additional revenues, we would have to begin dismantling the curriculum improvements we had painstakingly built up over several years. Once we halted the process of improving our academic program, it would be difficult and perhaps impossible to regain the momentum we had generated.

At the same time, a tuition increase on the eve of the fall semester would be a significant hardship for our students, and could undercut the primary mission of UB Law School – providing access to the legal profession for students who are not wealthy. Thus, the Law School and the University settled on a compromise plan under which the SUNY Trustees would be asked to increase the tuition starting second semester. In the meantime, we would work on giving students some warning of the impending change in their tuition, and in finding ways to meet the needs of students who would suffer serious hardship from the higher tuition.

When the Trustees passed the tuition resolution, they made their approval contingent on our assurances that no students would be forced to interrupt their legal education because of financial pressures due to the midyear increase. As the new tuition came into effect, we were able to meet this condition through a combination of reallocated funds from University assistance programs, recalculation of student loan eligibility, and increased efforts to solicit private contributions.

UB Law School is still a great bargain. Even at the new level, our tuition is only about one-third the rate charged by the private law schools in New York State. But the relative rates may be much less important than students’ absolute ability to pay: If you’re earning minimum wage, it doesn’t help you much to be offered a mink coat at dealer’s cost. The current fiscal climate in New York State means we can no longer assume that our low tuition and standard state financial aid packages will take care of access. That’s our job now – administration, faculty and alumni.

For those of us who came to UB Law when the state budget dollars were flowing out of Albany like a mighty river, this is a major change. It is tempting to view it as purely a net loss, since...
we now have to take responsibility for something that the state has routinely provided. But I think that would be shortsighted. Taking responsibility is a precondition for independence, and to succeed in public higher education in the future, we are going to have to be much more independent than we have been during the past three decades. Moreover, this new obligation bears the seeds of a stronger relationship between the Law School and its students.

With increased responsibility and accountability for recruiting, admitting and supporting good students who lack the financial resources to pay for their legal education, we'll have stronger motivation to do an excellent job than we had when we could simply rely on low tuition. The fact that the Trustees authorized the University to keep the additional tuition revenues to support the New Curriculum also creates potentially beneficial incentives. Just as profit-making businesses have to be customer-oriented, the Law School already feels the pressure to be more student-oriented, and to show a direct linkage between the higher prices students are paying and the improved quality of the program they are receiving. In the long run, that will make us a stronger institution.

Major change is rarely pleasant, and few of us who have been involved in working out the new tuition arrangements would want to repeat the experience. Nevertheless, change is sometimes necessary, and clearly the funding base of the Law School needed to change along with its curriculum. In the recent movie Independence Day, as the alien spaceships were closing in on Earth, the soundtrack played an REM song that had as its refrain:

It's the end of the world as we know it,
It's the end of the world as we know it,
It's the end of the world as we know it - And I feel fine.

That's not a bad theme song for UB Law, as we prepare for the next state budget, and a new century. ■