

December 4, 1957

CONFIDENTIAL

PRESIDENT SPROUL:

Re: Report of Special Committee to Consider Possible Acquisition of Heinz Plant and California Schools for Blind and Deaf

By your letter of July 23, 1957, you appointed a special committee composed of Vice-President Corley, Chancellor Kerr and myself to give consideration to possible acquisition of "two pieces of property in Berkeley outside the 'five year plan' of campus expansion, namely, the Heinz plant on San Pablo Avenue and the site of the California Schools for the Blind and Deaf." This committee has met and given consideration to these subjects and submits the following report and recommendations.

Heinz Plant: The committee agreed that, while such property would be very useful for storage and other utility purposes, it concludes that to propose the taking of this property or any other additional property off the tax rolls in Berkeley at this time would be injudicious from the standpoint of relationships with the City of Berkeley and that no further consideration should be given to the possibility of acquiring this property, at least in the foreseeable future.

Schools for the Blind and Deaf:

(a) Need for and use of site: Chancellor Kerr reviewed that with the probable expansion of the Berkeley campus to an enrollment exceeding 25,000, this site could be very well used and that a number of possibilities existed for such utilization, including the situating there of special schools such as the School of Social Welfare, and other special institutes. Residence Halls could be established there, special graduate units could utilize the facility and, although a detailed study of the site and facilities has not been made for obvious reasons, it is felt that, because of its proximity within walking distance of the main Berkeley campus, it affords many possibilities for profitable and effective use by the Berkeley campus.

(b) Problems and method of possible acquisition: In his opinion in a letter to Vice-President Corley of August 26, 1957 (copy enclosed), General Counsel Thomas J. Cunningham reviews the following three points with respect to the problem of acquiring these Schools:

(1) "It would appear, therefore, that the Schools in question are part of the Public School System within the meaning of Article IX, Section 6 of the Constitution and that, consequently, the Regents could not acquire and operate them as schools providing an ordinary academic program on a college level" so long as the Schools continued to be operated. The Regents could not acquire them according to provisions of Article IX, Section 6 of the Constitution.

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(2) "If the Legislature were to relocate the Schools in question and continue their operation at a new location, it would appear that there would be no constitutional objection to a transfer of the then vacant Berkeley facilities of the Schools to the Regents for University purposes."

(3) With respect to method of possible acquisition of the facility and site by The Regents, should the Schools actually be relocated, the General Counsel states:

"In view of the fact that the Legislature initially would have to relocate the Schools in question to eliminate any constitutional objections, it would seem desirable to have the Legislature specifically authorize conveyance of the School properties to the Regents either by said relocating enactment or by a re-amendment of Section 13104 unless, of course, such relocation and acquisition could be concluded prior to July 1, 1958.

"Since the State Department of Education is vested with control of the California School for the Deaf and California School for the Blind (Education Code, Sections 177, 178, 181), it would appear that any proposed relocations and conveyances would be facilitated by cooperating with said Department and any other State agencies concerned."

(c) recommended action by President: The committee recommends that the President make informal contact with Dr. Simpson, Superintendent of Public Instruction, to ascertain if any consideration is being given to possible relocation of these Schools. The President can state that, should there be such consideration and should these Schools be relocated, at that time the University would be interested in the possibility of acquiring the site and facilities. The committee stresses, as the President readily appreciates, that the matter of any possible indication of the University causing the Blind and Deaf Schools to be relocated would have very unfortunate results from a public relations standpoint and every effort should be made to avoid any such impression.

The committee feels that no other phase of investigation of possible acquisition of these Schools, including availability of necessary financial resources, should be made until the informal contact with Dr. Simpson is made by the President. Should any further action be desired after this contact made, the committee stands ready to render any further assistance it can provide.

Chancellor Clark Kerr
Vice-President James H. Corley
Stanley E. McCaffrey, Chairman

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Enclosure

cc: Clark Kerr and James Corley