



MAX RAFFERTY
Finding Change Not Easy

Rafferty Finding Change Is Hard

By ROBERT FAIRBANKS
United Press International
Sacramento, Calif. (UPI) — Dr. Max Rafferty, outspoken foe of so-called progressive education, rode into office as California superintendent of public instruction on a tide of votes that seemed a mandate for change.

Back to the 3-Rs, and all that. Now, like many another holder of political office, Rafferty is finding change is easier to talk about than accomplish.

Rafferty and his backers appeared to have irresistible force in November's election. But he has run into the state board of education, whose members are appointed by the governor.

May Affect Future
Outcome of Rafferty's collisions with the board may affect the state's broad political future as well as its 4.5 million students and 153,000 teachers.

The board is convinced that it, and not Rafferty, is in charge of California's huge educational establishment. Rafferty, who defeated his opponent by 220,000 votes, must sit as the board's non-voting executive officer.

Rafferty and the board have collided on three issues. The board took two decisions, but the third, and most fundamental, has gone to the state attorney general for settlement.

Likeliest Candidate
The political significance in these disputes arose recently when California's Democratic chief, Jesse M. (Big Daddy) Unruh, named Rafferty as the Republicans' likeliest candidate for governor in 1966.

Unruh, who has been mentioned as a Democratic nominee, may have been giving the 45-year-old superintendent an early boost, the better to drop him down. But Rafferty is a Republican possibility, and whether he remains could depend upon the outcome of his dispute with the board, most of whose members are Democrats.

Another facet of the dispute lies in Rafferty's popularity with California's various ultra-conservative groups, some of whose members claim credit for his election to the officially non-partisan post of superintendent.

Basis for Win
Rafferty agrees he is popular with the conservatives, but denies their work elected him. He won, he said, because he advocated the teaching of fundamentals as opposed to progressive education.

His politics? "Well, I've considered myself an Eisenhower Republican."

While liking Rafferty, the ultra-conservatives have a great dislike for Board President Thomas Braden, a Democratic newspaper publisher from Occanide who has consistently fought a 11 attempts toward censorship in schools accused of using "subversive" or "communist" material.

In a recent case, Braden drafted the board's letter of encouragement to a school superintendent in southern California.

Not by Censorship.
"Freedom," he said, "is not promoted by censorship. To eliminate from our schools all discussion and materials with which any group or individual disagrees will result only in a weakening of our school system."

Rafferty, in the same case, said the allegedly communistic material was "negative in approach" and that he did not like it.

Although none of this figures directly in Rafferty's current dispute with the board, it has created an aura of pas-

sion that threatens to eclipse the educational issues involved.

The three-part dispute began shortly after Rafferty assumed his \$22,050-a-year job last Jan. 7. At that time, he was promising a survey of the state department of education to determine if it were organized efficiently.

Plan Similar Survey
However, it happened the 10-member board was planning a similar survey and it became a question of whose men would conduct it. In a glow of early amicability, the parties decided there would be two men chosen by the board and two men chosen by Rafferty. But the chairman of the group was to be a board member.

The second of the three issues arose at a board meeting in Los Angeles Feb. 14 when one board member produced a letter that Rafferty had written Jan. 21 to the institute of international education in San Francisco, an organization used by the U. S. State department as a clearing house for foreign dignitaries.

Rafferty said in the letter: "You have been sending a lot of foreign visitors to our department. We have neither the time nor the personnel to take care of them."

Blow The Whistle
"I am afraid that we are going to have to simply blow the whistle on this picture until the state of California or the (Federal) department of health, education and welfare supplies us with sufficient funds to set up the separate position of official greeter in order that we may take care of your people."

Board members described Rafferty's letter as "harsh" and suggested he reopen the visitors' program, perhaps with volunteers to serve as chaperons and guides. Rafferty agreed, after explaining that he had only written the letter in an attempt to get sufficient money and manpower for the project.

Both Rafferty and the board went through moments of testiness during the letter writing dispute, but these were quickly forgotten when the third, and fundamental, issue arose at the same board meeting in Los Angeles.

Roots In Conference
This issue had its roots in a news conference Rafferty called Feb. 11 to announce his support of a bill currently before the legislature. The bill affects the distribution of elementary school textbooks. Rafferty committed not only himself to the measure but also the 2,400 civil servants in the state department of education, which he heads.

Board members agreed Rafferty could speak for himself but at the meeting challenged his right to commit the department. They argued the constitution gave them the right to set educational policy for the state, thus giving them the right to determine which bills the department shall or shall not support.

As the dispute grew hotter, they also noted Rafferty was their executive officer and suggested that even he, in that role at least, might not be legally able to speak for himself.

"That will be the day," Rafferty answered.

The exchange ended when board members adopted two resolutions. The first instructed the department of education to oppose the textbook bill; the second instructed Rafferty, as the board's executive officer, to follow board instructions regarding the legislation.

Both resolutions, with pertinent legal questions, have since gone to the state attorney general for settlement.

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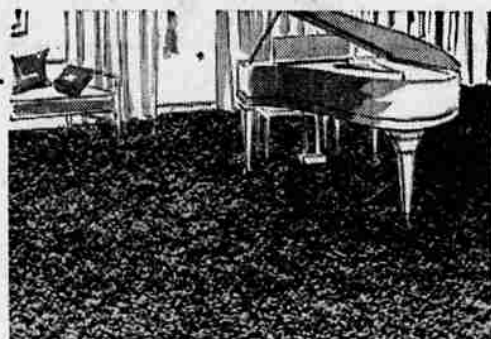
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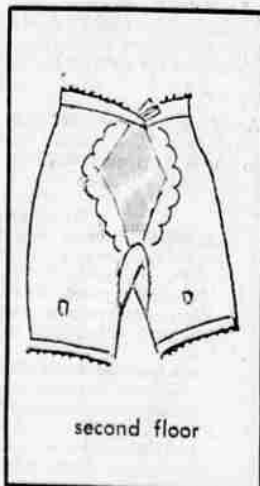
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