

**Date:** July 9, 2012

**Subject:** Should We Expect Increasing Conflict between University Boards and University Leadership?

In the last year leaders abruptly departed from the University of Wisconsin and the University of Oregon, while Presidents and Chancellors at the University of Arizona, University of Massachusetts and University of Texas have been under intense scrutiny and pressure to resign their positions. All of these cases involved differences of opinion on how to deal with state funding cuts and other challenges to the existing economic model underpinning public institutions. Combined with recent upheaval at the University of Virginia, these episodes highlight the serious consequences associated with philosophical and strategic misalignment between public university leaders and the Boards and Legislators who are charged with their oversight. As the focus on cost containment and efficiency continues to increase, these kinds of conflicts may grow more frequent with potentially serious repercussions for both institutional stability and educational quality.

### *Significance of the UVA Crisis*

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Between June 8<sup>th</sup> and June 26<sup>th</sup>, the UVA Board of Visitors, one of the oldest and most respected university governing boards in the United States, swung from forcing the resignation of a popular University President, only two years into her term (at a place where the average tenure for Presidents is a striking 15+ years), to unanimously reinstating the same President 18 days later. This unprecedented string of events<sup>1</sup> captured the attention of both regional and national press and of higher education stakeholders everywhere.

It quickly became clear that the ‘philosophical differences’ cited for the separation between the President and the Board were primarily about the perceived pace of change at the University, particularly what the Board saw as the need to remove outdated educational content and adapt to the 21<sup>st</sup> century technology-transformed economy, including the adoption of a massive online education initiative. Although it was unclear that there was much difference in their stated goals, President Sullivan preferred an approach based on consensus building and incremental change (the established best practice in large, well established, successful institutions with a tradition of shared governance), while the Board appeared to favor a rapid, top-down approach, referring specifically to a high-risk corporate leadership approach called Strategic Dynamism.

Regardless of how different UVA stakeholders may have felt about the difference in approach, the Board lost credibility and support by acting behind closed doors and opaquely, blindsiding the President and entire University community. Although classes were out for the summer, the faculty and students organized quickly to protest not only the decision but also the process, and the press, citizens, and politicians soon joined in creating enough pressure that the Board shockingly reversed position in less than 18 days. The entire episode has left the reputation of UVA tarnished, the board and president weakened, and major questions about UVA, higher education, and the future unanswered.

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<sup>1</sup> For an initial overview of the UVA case, see the following Washington Post article: [washingtonpost.com/local/education/u-va-upheaval-18-days-of-leadership-crisis/2012/06/30/gJQAVXEgEW\\_story.html](http://www.washingtonpost.com/local/education/u-va-upheaval-18-days-of-leadership-crisis/2012/06/30/gJQAVXEgEW_story.html)

The fact that these events took place at ‘Mr. Jefferson’s University’, one of the most prestigious and tradition-bound public institutions in the country, played a large role in the degree of attention and, consequently, the unique outcome at UVA. However, the case presents important portents and lessons for all of public higher education. A recent Moody’s report<sup>2</sup> applauded the resolution of the crisis at UVA and interpreted the outcome as an affirmation of the value and stability of the long-time shared governance model that reigns in higher education (particularly at top tier institutions where it has not yet been too significantly eroded). However, it also noted an expectation for an increase in such crises in the near future as the higher education industry continues to adjust to new economic reality and faces more stark trade-offs between the pursuit of excellence and the demand for efficiency.

*Institutional Governing Board Composition in the Global Challenge States*

If clashes between boards and university leaders, including faculty, become more common (as has been projected by Moody’s), board structure and composition will become increasingly important in determining the likely outcomes of those struggles. In particular, the presence of various viewpoints, including students, faculty and the public, the diversity of members (demographically as well as background), and the degree to which politics determines membership can heavily impact the orientation of a board. Term lengths and limits and board size are also key factors. The degree to which each of these factors can be influenced or altered varies tremendously, but they are all issues that states, institutions, and boards themselves should be actively considering so that our public institutions remain in the best position to govern cooperatively and effectively through what is and will likely continue to be a tumultuous period of change.

The table below summarizes the structures and composition of institutional governing boards at the UW’s Global Challenge State peers.

Institution	Institutional Governing Board
<b>University of California</b>	The UC Board of Regents was established in the state constitution and consists of 26 members and oversees all 10 UC institutions. 18 are appointed by the Governor for 12 year terms, 7 are ex officio members (e.g. Governor, Speaker, UC President), and 1 is a student. There are also two non-voting faculty representatives.
<b>University of Colorado</b>	The Regents of the University of Colorado oversee four campuses and the Health Sciences Center. The Regents are publically elected to 6 year terms. There is one regent from each of seven congressional districts and two additional ‘at large’ seats.
<b>University of Connecticut</b>	The UConn Board of Trustees comprises 21 members who oversee the University, the Medical Center, the Law School and five branch campuses. 12 members are appointed by the Governor, two elected by alumni, two elected by students, and five ex officio (e.g. Governor)

<sup>2</sup> Subscribers can access the full report here: [moodys.com/research/Moodys-UVA-dispute-highlights-emerging-governance-stress-in-US-higher--PR\\_249925](http://moodys.com/research/Moodys-UVA-dispute-highlights-emerging-governance-stress-in-US-higher--PR_249925)

<p><b>University of Maryland</b></p>	<p>The Board of Regents of the University System of Maryland governs 11 campuses. The board comprises 17 members, including one full-time student. The 16 non-student members are appointed by the Governor to no more than two consecutive five year terms.</p>
<p><b>University of Massachusetts</b></p>	<p>The Board of Trustees of the University of Massachusetts governs the five campus system and has 19 voting members plus three ex officio members. The Governor appoints 17 members (5 must be alumni and 1 a union representative), and two are students (each campus has a student representative but only two can vote at any one time).</p>
<p><b>Rutgers (New Jersey)</b></p>	<p>The Board of Governors of Rutgers has 11 voting members, 1 ex officio member (university president), two faculty nonvoting members, and one student nonvoting member. Six of the 11 voting members are appointed by the Governor and five are elected by the Board of Trustees, the historic governing body that still services in an advisory capacity and has 59 voting members.</p>
<p><b>University of Virginia</b></p>	<p>The University of Virginia’s Board of Visitors comprises 16 voting members and one ex officio non-voting member. All members are appointed to four year terms by the Governor and must be approved by the General Assembly. A full-time student is appointed as a non-voting member by the Board each year.</p>
<p><b>University of Washington</b></p>	<p>The Board of Regents at the UW comprises 9 members appointed to six-year terms by the Governor and a voting student member who serves a one-year term.</p>