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ABSTRACT

This research is an empirical investigation and analysis of corpus of trustees meeting activity in a sample of 21 public 4-year colleges and universities. The data input instruments were the board minutes for the year 1963-64 and 1971-72, bylaws, standing orders, procedural manuals and other documents as well as copies of all state legislation related to charters and board authority, biographical data on board members, and a highly detailed coding protocol. Findings are indicated for membership composition, total board action, board decision patterns, and policy levels of decisions. An 11-item bibliography and appendices with research material are included. (MJM)

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THE GOVERNANCE OF HIGHER EDUCATION

Significant Relationships Between Types of Trustee Boards and Their Decision Patterns in Public Four-Year Colleges and Universities

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The role in governance of the traditional lay board of trustees of American colleges and universities is being challenged. Its appropriateness as a governing body, and the boundaries of its authority may well become a strong and divisive issue in the shaping of American higher education over the next decade.

The Problem: Multiplicity of Roles

Lay boards of trustees have been perceived, and have perceived themselves, in a number of different roles. They have been the holders in trust of the corporate charter and the corporate treasury.

In a fiduciary relationship they have been bound to carrying out the wishes, goals, and aspirations of the institutions' founders and benefactors. They have been the external overseers, the auditors, and the controllers of those who administer the educational functions of the institution. They have been the caretaker and proctor of the maturation and the scholarly training of students entrusted to them by their legal guardians. They have been the supreme governors, the ultimate authority and final arbiters on all matters related to the administration of the institution.

These varied roles have not been successive stages in the evolution of modern day boards of trustees; they have tended to be additive. Many boards feel they should, or actually have, taken to themselves by addition most of these roles. Even if it should be desirable, fulfilling all these roles would be an onerous and probably impossible task. Yet many try.

Brief Review of Literature

Boards of Trustees have been the subject of a substantial number of critical evaluations and a smaller number of empirical studies.

Thorstein Veblen, in 1918, sounded an early alarm about business men, or at least non-educationalists, making the critical decisions on educational matters, and this was echoed in the more extreme view of governing boards and their policies by Upton Sinclair in 1923.

Empirical studies of boards of trustees are less plentiful and they have concentrated primarily on biographical data sometimes combined with survey research data. The early studies of McGrath in

1936 and of Beck in 1947 confirmed the rise in proportion of prominent business men and bankers, the decline among clergymen and farmers, the high incomes of board members, the high proportion of older males, and other characteristics. The Hartnett studies in 1969 and 1970 surveyed trustee membership compositions, personal data, reading habits, time spent on trustee duties, and perceptions of their decisionmaking authority.

The assumption, often explicit, underlining these studies are (1) that control of educational institutions is primarily in the hands of the boards of trustees; and (2) that the empirically verified imbalance of board membership is detrimental to the educational process. Events of recent years--the development of multi-campus university and college systems, the aggregating of higher education into combined state systems and the increasing decisionmaking at state and federal levels--lend serious doubts about the first assumption. There are probably some limitations to the second assumption, at least there is little concrete evidence for either its acceptance or rejection.

A number of prominent writers have discussed the duties of governing boards. Henderson in 1967, Heilbron in 1970 and Rauh in 1969 listed the basic trust responsibilities, management in the public interest, the organizing of planned development, accountability to the public for action taken and funds used, and the function of acting as a court of last resort on the campus.

With these broad duties, and only a few days each year in which to meet and informally conduct business, boards delegate much of their authority. The literature stresses that a board <u>should</u> be expected

to consider only basic policy matters and leave day-to-day operations to the faculty and administration. Heilbron in 1970 said that board concern with administrative detail is one of the major abuses of trustees. Zwingle in 1970 said that trustees should "not meddle in the administration and must not assume the initiative unless every other alternative has been exhausted."

Our interest in trustee activity centers around these last two aphorisms. Is there a gap between "should be" and the real world of trustee activity?

Focus of This Research

The research reported herein is an empirical investigation and analysis of corpus of trustee meeting activity in a sample of 21 public 4-year colleges and universities. It is an attempt to arrive at an approximation of what trustee boards actually do. Its focus is on the areas of decisions made, the relative attention devoted to various subject matters, to policy decisions, and to administrative detail, the deferences to higher authority, and other factors which constitute the decision patterns of these boards.

Methodology

Sample. Twenty-two institutional boards were selected to secure as balanced a sample as possible among a varied list of criteria such as boards of single campus, multi-campus and consolidated state systems, boards with public office-holders as ex officio members, boards which

differ as to number of members, method of selection, geographical location, existence of a statewide coordination authority, and finally, statutory or constitutional status.

Data Input Instruments: A basic decision was made to avoid the use of questionnaires and in-depth interviews in favor of data input procedures which utilize more "non-reactive" sources. This decision is based upon two concerns: (1) the degree of mythology and other biases involved in gathering data on trustee activity and levels of authority through the personal perceptions of the participants themselves, and (2) the experience of CRDHE researchers in recent years with the decreasing percentage of questionnaire returns from overburdened and often over-bothered administrators and trustees.

The data input instruments used were:

1) Board minutes for the years 1963-64 and 1971-72. The latter represented, as nearly as possible, current activity. The year 1963-64 was chosen because it represented probably the last year of traditional practices before the Sproul Plaza riots at Berkeley which triggered the pressures for change. These were analyzed for content as described hereafter.

2) Bylaws, standing orders, procedural manuals and other documents, to give us a better basis for the content analysis of the minutes, as well as copies of all state legislation related to charters and board authority.

3) Biographical data on board members.

4) A highly detailed coding protocol.

The coding protocol was designed for classification of each board's decision actions as specified in the minutes. The instrument is divided into 9 sections and generally two levels of subsections under each. For example, one section records each decision as to whether the action was before the fact (hence a prior decision) or after the fact (hence a ratification). Another section provided additional descriptors of board actions such as whether final determination is the authority of some other body (coordinating board or legislature), and the identification of these controls. The largest section was a lengthy classification system of decisions (classifications) and descriptors coded by such areas as personnel matters, student affairs, business and finance, educational programs, physical plant, etc. Each of these classifications was subdivided into a detailed list of related matters likely to come up on a board agenda. Each of the subclassifications was generally divided into two groups--general actions which apply to any and all applicable cases and to general policy statements, and specific items which apply only to ad hoc issues, particular individuals or circumstances of the moment. For example, in the subclassification of tenure, a general item would be a policy statement or a procedural rule related to tenure, and a specific item would be consideration of whether tenure should be granted or denied a particular individual.

Reliability-Validity: We believe that our use of non-reactive research data input techniques reduced the expected biases and increased reliability (i.e., the expectation that similar findings would be obtained if the collection of evidence were repeated.)

The use of board meeting minutes as the primary source of data input may raise the question of validity of the information extracted. (Does this instrument really measure board activity? Does it distinguish actions sufficiently for the purposes of this research?) It is true that the minutes of different boards vary considerably--some are highly detailed and completely record the principal points of board discussion, and others are sparse and seem to say as little as possible. We were well aware that some coding decisions might become more a function of the wording of the minutes rather than a function of the coder in describing the action. These problems are recognized. Were the purpose of this research to describe decisionmaking processes or to determine the affective roles of different persons or groups within the board (influence, power relationships, etc.) a more serious question of the validity of these data gathering instruments could be raised. Since the purpose of these instruments was to determine the extent and areas of interest and to assign descriptors of board actions with regard to subject matter, and types of decisions ranging from approval of routine matters to policy decisions, the minutes will be seen to more validly serve these purposes. While some minutes lack explanatory detail, they do record the fact of each action and hence collectively an approximation of the total area of concern of the board.

Another precaution was taken to improve validity. Before coding the minutes or lists of actions of a particular board, the person doing the coding thoroughly familiarized himself with the standing orders, bylaws and other legislation adopted by or for the board; and became as familiar as possible with the operating style of the board and the authorities it possesses. Furthermore, where some actions lacked sufficient explanatory data in certain categories they were simply coded "don't know."

Findings

Time will permit only a review of some of our summary findings on board decision actions, and comment on the general decision patterns of the sample institutions. We will present, primarily, the bare facts of these findings without attempting conclusions about their meanings or implications for reform of board organization or practice. That is another subject for another day.

Membership Composition

The presence in Board membership of representatives of constituencies internal and/or external to the academic community may have an important relationship to the decisions and other actions considered by such boards. Internal constituencies sometimes included in membership are Administration (usually the President), the Faculty, and Students. External constituencies found in Board membership are many and varied. They include most commonly the governor of the state

and the state superintendent of public education. Other elected state officials frequently serve on trustee boards--attorneys general, members or officers of the state legislature, and commissioners of agriculture. Other constituencies are alumni, farmers and mechanics, engineers (in some of the land grant institutions). When citizens of political subdivision of a state elect representatives to the board of the state university, these may be regarded as--and they frequently act as--representatives and advocates of those constituencies in the board's deliberations.

The presence of the ex officio governor as a voting member of a board of trustees is of particular interest. It varies from that of a dominating presence, to one case where the governor felt that his presence was inappropriate and he sponsored legislation which eliminated his office from ex officio trustee membership. This is one of the independent variables we will be matching up with the decision action patterns of boards which include a strong governor--and those that do not.

Total Board Actions

A total of 7,314 subject items were coded from the minutes of the 21 sample Trustee Boards. This gross number was reduced to 6,226 by consolidating categories of personnel actions submitted to boards in the form of lists and by subtracting a category of "non-action items."

This total of 6,226 decision actions was used as our principal data base.

In 1963-64 these boards acted upon an average of 40.4 decision matters per meeting. The range was from 12 to 130. In 1971-72 the boards acted upon an average of 36.2 decision matters per meeting. The range was from 9.0 to 218.0.

All but three boards acted upon fewer decision items in 1971-72 than in 1963-64. In fact, they took action on 17% fewer items. The three exceptions to this downward trend were all boards of multi-campus systems, each of which had added new campuses, one of them going from a single institution to a multi-campus system board. One doubled the number of campuses under its jurisdiction, and the other added 8 new campuses between 1964 and 1971.

Board Decision Patterns:

Our first gross analysis of these decision actions by individual boards was to calculate the number of actions by major subject areas (personnel, Student Affairs, Educational Programs, etc.) and express these as a percentage of total actions of each board. This produced a decision distribution pattern (see sample pattern, Appendix A). These graphic patterns gave us the first approximation of each institution's relative areas of maximum and minimum concern and attention. The summary of these actions by subject areas was plotted for each year with the relative attention given to each subject area by each institution arranged in descending order (Appendix B). A grand mean or "Norm" related to our sample for each subject area was calculated and the standard deviations from this mean indicated. Two types of statistical measures were then used to identify those boards which

deviated significantly from the grand mean. The first, a t-test was made to test t deviation of each cell against the grand average for statistical significance, thereby considering the number of decisions in each cell in addition to the proportion. The second used a standard deviation measure to identify raw deviations using the proportion in each cell as the variable. This second measure does not represent a statistical significance test in the strictest sense, but it does provide a measure of variability which is useful in identifying those boards which are appreciably above (or below) the mean.

These board decision action patterns reminded us strongly that traditional concerns still predominate in all but a very few boards. And this traditional pattern has changed little over the last eight or nine years. However, this observation must be restricted to comment on the subjects which concern boards and the relative amount of attention given to them. It does not necessarily relate to the quality, wisdom, or efficacy of the decisions.

The primary concerns of all boards centered around matters related to Business and Finance, and Physical Plant. About half of all actions of these boards fell within the subject area of these two subject classifications. This was true in 1971-72 as it was in 1963-64, in spite of the fact that only a few institutions were still engaged in main plant expansions and building programs.

What commands so much attention in these areas? It includes a wide range of details on operating budgets, vendor agreements and contracts, and budget adjustments and transfers, as well as corporate

affairs related to investments and real estate. Physical Plant concerns also include a wide range of detail related to project budgets, appointment of architects, awarding of contracts, change orders, building alterations, as well as long-range development plans, revenue bonds and other financing.

Personnel matters come next, accounting for 21% of allocations. Faculty and staff appointments, salaries and perquisites account for most of the actions in this group.

Educational programs and policies rank fourth in amount of trustee attention--on an average, about 15%. In addition to long-range academic plans, degree programs, and admission standards, they also spend considerable time and attention to matters related to inter-institutional programs, current curriculum plans and revisions, and general as well as specific academic regulations (ranging from grading systems to individual approvals on the use of faculty-authored text-books) and, particularly in 1971-72, faculty workloads.

Internal board affairs, administrative organization, and other regulations including general information reports and ceremonial actions together account for about 13% of total board actions.

Then comes Student Affairs, which account for less than 3% of board actions. These matters include scholarships and student aid, athletic programs, and athletic scholarships, student government, codes of conduct, student services, campus speakers, student newspapers, fraternities and sororities. Undoubtedly this category received a larger proportion of attention in the years intervening between 1964 and 1971.

Policy Levels of Decisions

Many organization analysts--those with professional as well as amateur standing--tend to be greatly occupied with defining clean distinctions between policy matters and operational administrative concerns. The popular assumption is that boards of trustees, regents, curators, and corporate boards of directors should confine their attention to the former and stay away from the latter. This assumption is not without merit, but the separation of policy matters from operational concerns is difficult in practice, and almost as difficult in theory.

We made adaptations on the Herbert Simon's (1957) typology and devised a framework based on three policy dimensions: (1) legislative policy, which deals with the ethical (i.e., "ought to" or "should be") the general (as opposed to specific), and the important; (2) management policy, which deals with broad, nonethical rules, interpretations of legislative policy, control, direction, boundaries of subordinate authority; (3) working policy which deals with more specific rules at the administrative level and deals with execution or implementation.

After developing a rather elaborate coding protocol, all decision actions which, with logic and on the basis of information available to us could be so coded, were ranked on this "policy scale" in the three levels. (13.9% of the board actions were not ranked because they were simply reception of reports, ceremonial actions, committee appointments, etc.)

Appendix C provides a summary table of 1971-72 policy levels coded on the basis of these definitions. Level I policy decisions accounted

for 8.6% of all coded decisions, Level II for 42.4%, Level III for 49%. The 1963-64 data fell into almost identical proportions.

Distributions of these actions within policy levels were analyzed by major subject areas. For example, of the total Level I policy decisions made, 31.8% of them occurred in educational programs, 21.7% in business and finance and 13.7% in physical plant. Level II decisions are heavy in the same three subject areas and Level III decisions are concentrated primarily in personnel (42.2%) and business and finance (27.7%).

Consolidated and multicampus boards tended to be high in Level II decisions. All but two or three boards ran high in Level III decisions.

Decisions within these three policy levels were further analyzed according to the distributions within each of two other dimensions coded into our original data.

The first of these was the existence of external controls which impinge upon the board action. Most of these were actions which were referred to some other body for final action or approval, such as a state coordinating agency, or the state legislature, or actions taken by the board in order to comply with a state law or regulation of an external agency. In the 1971-72 data, 11.4% of the Level I decisions were subject to some such external control; 8.1% of the Level II decisions and 2.1% of the Level III decisions had external control implications. The 1963-64 data showed about the same distributions.

The second analysis of the policy decisions involved the coded

classification of actions according to whether the board action preceded or followed the actual implementation of the action. The former may be generally classified as board decisions, the latter as ratifications of actions already taken by the administration, or in some cases by a board committee. On the whole, our 1971-72 data indicated that about 70% of the Level I decisions, 69% of the Level II decisions and 48% of the Level III decisions were made prior to the fact. We identified 5% of Level I, 19% of level II and 42% of Level III decisions as after-the-fact ratifications of reported actions. The remaining percentages in each case represent the numbers of actions we were not able to code on the basis of our information and they represent in total about 13% of all policy-type decisions.

In Conclusion:

We are still pursuing various combinations of our independent variables (those that relate to characteristics of boards and the institutions they govern) to find consistent and related decision patterns. This should tell us what different groups have in common, and perhaps give us some hints as to the more necessary and the less necessary agenda items to which they devote their time and attention.

In some cases, knowledge of inconsistency--the lack of correlation between independent and dependent variables--is of value. For instance, we find that, with a few exceptions, there is little consistency within the decision patterns by gross subject areas of single-campus, multi-campus, and combined state boards.

We are also making more detailed analyses of the amount of attention given to sub-categories of subject matter which make up each major category. For example, 41.5% of all actions under Educational Programs are matters related to the business of research grants and contracts; 32% are related to considerations of degree programs and other curricular programs; 3.0% to admissions standards; 4.6% to academic planning; .7 of 1% to faculty workloads.

A complete technical report will be ready for dissemination through the Center and probably ERIC by this summer. A more interpretive discourse on public trustee boards will follow thereafter.

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APPENDIX A

UNIVERSITY OF CALIFORNIA, BERKELEY
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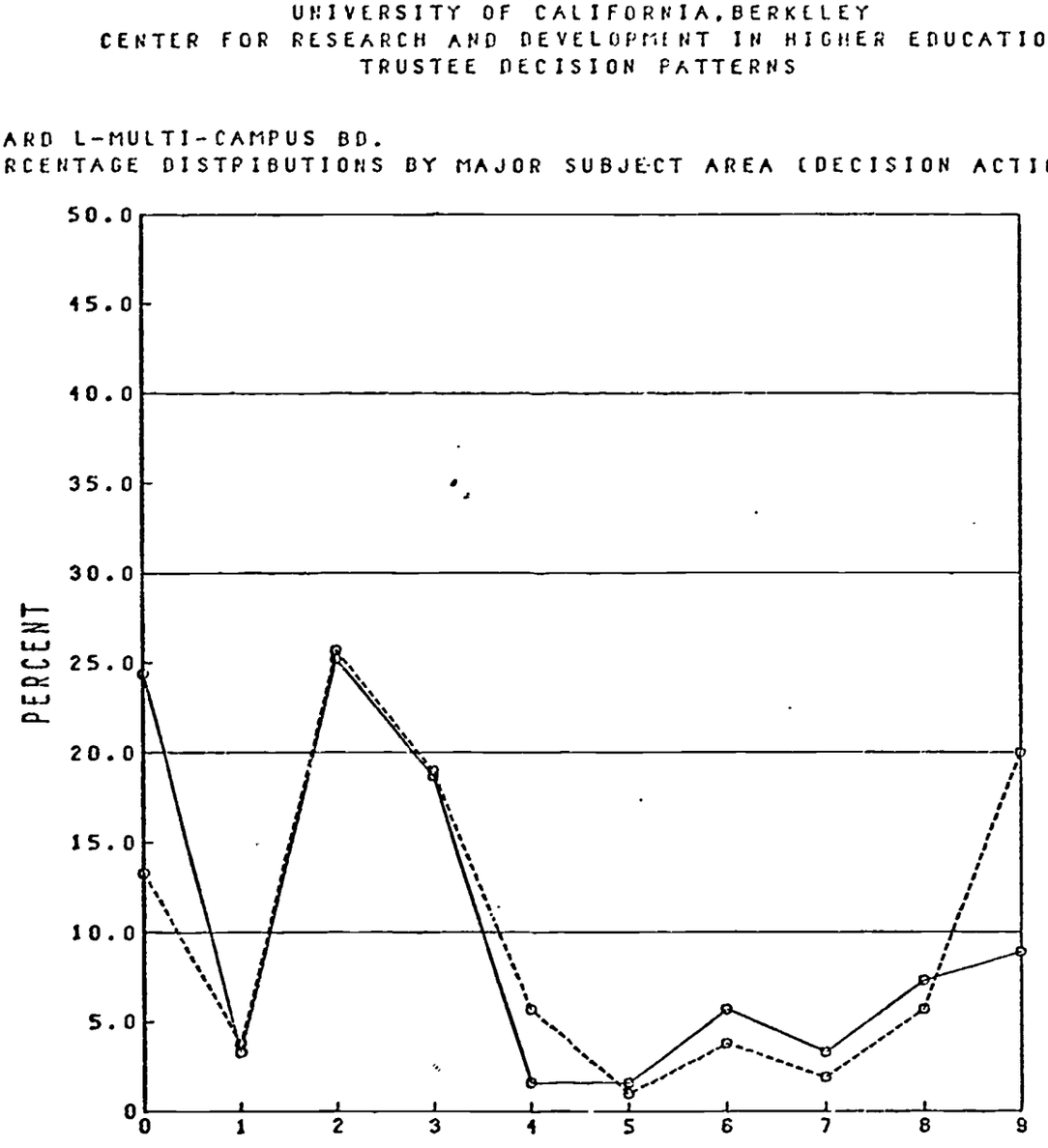
TRUSTEE DECISION PATTERNS

BOARD L-MULTI-CAMPUS BD.
PERCENTAGE DISTPIBUTIONS BY MAJOR SUBJECT AREA (DECISION ACTIONS)



0 PERSONNEL
1 STUDENT AFFAIRS
2 BUSINESS AND FINANCE
3 PHYSICAL PLANT
4 EXTERNAL AFFAIRS
5 INTERNAL AFFAIRS
6 ADMINISTRATIVE ORGANIZATIONS
7 OTHER
8 CEREMONIAL ACTIONS
9 EDUCATIONAL PROGRAMS

KEY

———————— 1963-4 DECISIONS-TOTAL N=123
---------- 1971-2 DECISIONS-TOTAL N=105

UNIVERSITY OF CALIFORNIA, BERKELEY
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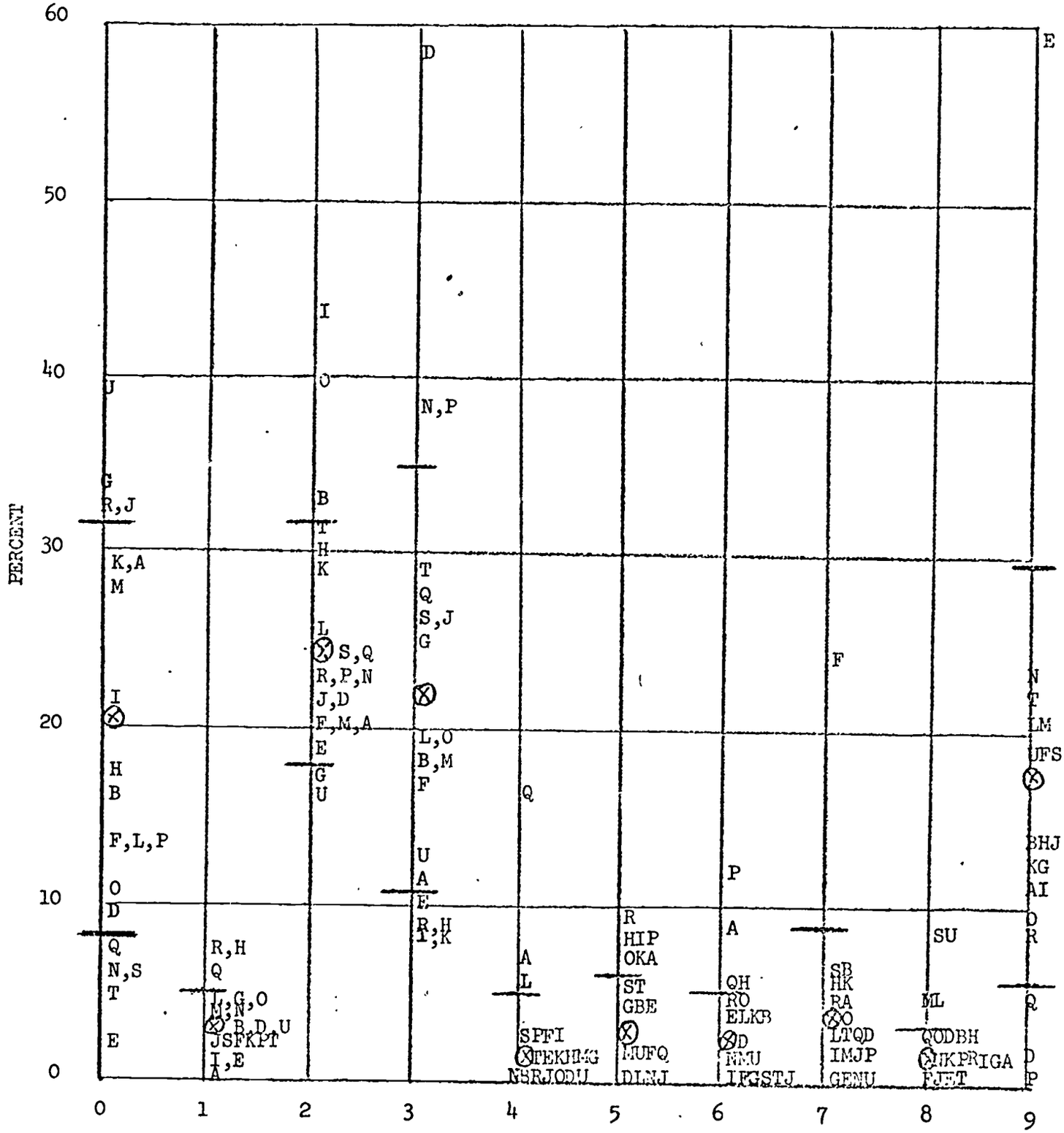
APPENDIX B

TRUSTEE DECISION PATTERNS (1971-72)
SUBJECT MATTER DISTRIBUTION
BY PERCENT, BY INSTITUTION (CODED)



0 - Personnel
1 - Student Affairs
2 - Business and Finance
3 - Physical Plant
4 - External Affairs
⊗ = mean percentage for column

5 - Internal Affairs
6 - Administrative Organisations
7 - Other
8 - Ceremonial Actions
9 - Educational Programs
—— = ± one standard deviation

Appendix C

UNIVERSITY OF CALIFORNIA - BERKELEY
CENTER FOR RESEARCH AND DEVELOPMENT IN HIGHER EDUCATION
TRUSTEE DECISION PATTERNS

SUBJECT MATTER BY POLICY LEVELS (1971-1972)

Subject Matter	Level I	Level II	Level III	No Policy (uncoded)
0 - Personnel	8.0%	9.1%	42.8%	6.8%
1 - Student	6.0	3.8	1.1	1.4
2 - Business and Finance	21.7	23.0	27.7	8.7
3 - Physical Plant	13.7	28.9	17.9	4.1
4 - External Affairs	8.0	.5	.2	6.6
5 - Internal Affairs	4.0	1.4	0	22.1
6 - Administration	6.0	3.5	2.0	.9
7 - Other	.7	1.9	1.3	29.9
8 - Ceremononial	0	.1	.4	13.4
9 - Educational Programs	31.8	27.6	6.7	6.0
Total Number	299	1476	1705	561
Total Percentage	7.4%	36.5%	42.2%	13.9%