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ABSTRACT

The persons, groups, and agencies that share in the control of a public college/university or system are identified, and issues facing higher education and approaches to the problem of control are considered. The following higher education components are examined: the institution and its board of trustees, faculty bodies and student bodies, statewide coordinating boards, various state agencies, legislative committees, and federal agencies and courts. Issues facing higher education include declining enrollments, equal opportunity and access to education, educational finance, the missions of institutions or systems, educational quality, institutional autonomy, and long-range planning responsibilities. It is suggested that state government must make its responsibility clear to all concerned for overall assignment of mission, level of funding, and state policy of access and equality of opportunity. The state must also clarify that statewide planning is within its authority. Within a framework of government policy, institutions should be free to develop their own answers to their needs, and faculty should be free to develop academic programs and student services. It is further suggested that both colleges and state government should keep a check on the federal government's influence in higher education. (SW)

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WHO CONTROLS, WHO WILL CONTROL HIGHER EDUCATION?

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Introduction: Higher Education, like Society, is Pluralist

In the year 1976 we celebrate the 200th anniversary of the Declaration of Independence. Among the salient features of our national landscape are the place and role of higher education in the United States--vastly different from the formative years of our republic and remarkably different, even, from the centennial anniversary a hundred years ago. In 1976 higher education has become an enterprise of fundamental importance in the life of our country. It is intimately bound up with all aspects of national development and future prospects for development, and deeply entwined with all the main streams of our national life--government, the economy, science and technology, agriculture, labor and industry, racial and intergroup relations, the means of communication, the use of leisure, the arts, even sports and religion. The question of control over higher education may or may not have been important two hundred years ago, one hundred years ago, even fifty years ago. Now it is. Whoever controls higher education shapes not only educational purposes, programs, and products, but the future of this country as well.

The United States is a pluralist society characterized by a federal system of government, divided powers, the principle of representation and equal access. America is a society of contending interests. The United States, in this last quarter of the 20th century, is also a society in which many of us find it difficult to identify a central theme that sustains the majority of the

American people as they look to their future. Other than survival and personal gain, there appears to be no over-arching goals for which a clear majority of citizens or groups are striving. Power in general is shared among various levels of government and by large powerful groups, but depending upon the particular policy issue or objective one or another group may be dominant for a time, to be replaced by rivals for power as the issue or condition changes.

In many ways higher education mirrors the greater society. Higher education is also pluralist; a large number of groups and forces contend with each other for control of the colleges and universities. It is diverse. One could not easily identify a single ideology or purpose which animates higher education. In the past of living memory, an institution's own board of trustees has served as the focus of control for a given college or university, with the president as chief administrator and the faculty presiding over the development of curriculum. That is so no longer. The power to control an institution's destiny, particularly a public institution, is diffused among many groups and agencies, each with its own purposes and objectives--so many in fact, that we find it almost impossible to develop a clear definition of purpose for that institution. Indeed, within many large public universities or systems one hears the term "multi-purpose" university or system. This is the condition in which higher education finds itself: hostage to diverse and often conflicting demands made upon it by a multiplicity of groups wishing to benefit from the institution's resources, hence wishing to exert control in behalf of their own interests. Agriculture, labor, corporate business, minority population groups, the professions, political parties, local, state and federal government--all seek control of the university to serve their purposes and policies.

It seems to this observer that with respect to the public systems of colleges and universities, these institutions hardly possess a life or purpose of their own; for the word "public" means that they are creatures of the general population and subject to the population's interests, desires, even fads, as these are interpeted by legislatures, governors and other public officials.

One could argue with justification that this is precisely what public support for an institution of higher education means: since there are diverse interests and needs in society at large, so the public college or university must reflect them, and public officials, including university officials, must recognize and interpret the public will. The trouble with this point of view--and I say it as a public official--is that if institutions of higher education are torn and pulled this way and that by powerful contending groups, education suffers. Education is placed in contention with various kinds of research, training, employment, and community or public service activities as all make claim upon the budget. I am well aware of the arguments which hold that there is no absolute line between education and training, that research is necessary to enrich teaching and is the foundation of education, that community service activities can enliven and enrich the classroom curriculum--I have made them myself. The difficulty is that as these interests and activities take hold in an institution of higher education, a variety of groups or forces assert the primacy of their ends and their programs, subordinating any institutional objective. The institution's administrators and faculty are pushed or pulled in different directions. Their ability to give purpose and identity to the institution is attenuated and education does suffer.

When I say education let me make clear that I define the term broadly as the process of self-discovery and self-development in any student by the application of discipline to the acquisition of intellectual and personal skills.

These intellectual and personal skills can be taught and learned. They constitute the process of being or becoming educated, and they can be acquired, I believe, by examining almost any body of knowledge or subject matter. I happen to believe that some bodies of knowledge, such as the liberal arts and sciences, are more effective and more efficient than other bodies of knowledge in the education of the mind and in the development of personality, for the arts and sciences speak to the perennial and great issues affecting humankind. Education involves the transmittal of knowledge from one generation to another. Education is closely connected to research, and may even be based upon research, but education is not research. Education contributes to the socialization of an individual. Each of the foregoing contributes to education. But fundamentally, for me, education is a process through which and by which the individual discovers herself or himself and the surrounding world and learns how to master it. An educational institution, therefore, should carry the student a distance forward in that journey of discovery and mastery. When it does not, it is not an educating institution.

Thus I say when the educational institution is subject to strong contending pressures and forces, and when control passes to external agencies, it loses its purpose and identity and education suffers. For example, we know that in order to support faculty research many "multiversities" economize at the freshmen and sophomore level with enormous classes taught basically by graduate assistants. Sometimes these young teaching assistants are excellent; more often they are not. Sometimes an introductory or second level course in economics or biology with 300 students is excellent; usually it is not.

All of us in higher education have been told that we have lost the public's confidence. In a gross way this is true, yet in the autumn of 1975 higher education enrolled the largest number of students in its history. Some 11

million people, at least, appear to have sufficient confidence to pay the tuition. But if we have lost the public's trust, may that fact not be attributed to a loss of sense of purpose in the college or university? And may it not also be attributed to lack of assurance that the educational experience is really what the catalogs promise?

My argument thus far amounts to this: the public institution or system of higher education seeks to serve a variety of groups and interests as these are manifested. These interests are often in conflict because resources are finite. The forces behind these interests seek control of the institution or system. The university responds to these forces in some way, usually by allocating resources across the broad spectrum of activities. In so doing, purpose becomes diluted, programs become weakened, promises appear unmet. Groups continue to vie with one another for control. So the cycle continues.

It may be, then, that a discussion of the central purpose of higher education and of its institutions was never more needed. Indeed I think that one cannot discuss the question of control of higher education apart from the question of purpose. The threshold question is: Control for what? This brings us directly back to the proposition that who or what is in control establishes the ends of an institution or system and the means by which those ends are to be achieved. Thus those same forces also control the effect of the institution or system upon society.

Agencies of Control

It may be useful at this point to discuss the persons, groups and agencies which share in the control of a public college or university or system. For private institutions, depending upon the laws of a given state, there will be less involvement by state government surely, but to some degree they are subject

to the same forces. Starting from within the institution itself, there is the governing Board of Trustees, in some cases elected but usually appointed by the governor or the legislature. The board appoints a chief executive officer who in turn appoints the senior administrative and academic officers, usually confirmed by the board. The academic departments make the first (and often the last) decision on curricular matters; they also recommend in the hiring, retention, and promotion of teaching faculty. Normally, an institution will have one or more divisional, school or college-wide committees with power to affect curriculum. If the faculty is unionized and works under a collective bargaining agreement, the union officers and paid staff constitute another source of power over the institution. In some places, the student body is much more involved with matters of governance and curriculum than they were a quarter-century ago, although this involvement has not been as widespread as student predictions in 1970 suggested. For many colleges, the alumni continue in varying degrees to be influential, probably more in athletics than in scholarship.

Moving outward from the internal governance of the public college or university, we may find super boards with governance or state-wide coordinating powers and their professional staffs. In addition, many agencies of state government are directly or indirectly concerned with higher education: the state educational agency with its leadership and staff, the budget office, the attorney-general, the department of justice, the civil service commission, the human relations commission, and others. The administrative apparatus and policies of state government will typically control the actual operation of public institutions in such matters as personnel, purchasing, library acquisitions, supplies and equipment, facilities and security. In the legislative branch,

both the education and appropriations committees of each house and their professional staffs are becoming increasingly involved with higher education. If the college or university is owned or supported by local government, either county or city, then the appropriate officials at that level are still another layer of control.

Adding the level of federal government to the state and local, we now find all three branches exercising both direct and indirect control over the institutions of higher education to a far greater degree than most of us would have imagined possible a decade ago. Federal policy takes the form of an executive or legislative program for higher education whose elements affect student enrollment through student aid, construction of facilities, hiring, retention and promotion policies, continuing education and community service, certain areas of curriculum, particularly science, and basic and applied research. It is not too strong to say that federal objectives, supported by federal funds and administered and distributed by the federal departments, now permeate higher education. As we know, many agencies of the executive branch have relations with and impact upon higher education. In addition, the federal courts have become much involved in the affairs of colleges and universities as cases have been brought before them for adjudication which raise constitutional issues or which require interpretation of federal legislation or administrative policies, and there is every indication that the courts will be more involved in the future.

Finally, there are external but non-government forces acting upon institutions of higher education, including the media and notably the press, political parties, national and state religious organizations, business corporations, trade unions, national and state associations and philanthropic foundations making contributions and grants for specific purposes as well as general support. Indeed, any organized group in any field of endeavor which sees the college or

university as performing a service for its members will have some impact upon the institution and may seek to exert some degree of control. As colleges and universities increase their continuing and professional education services to adults, the institutions will increasingly find themselves under pressures to perform more services for a particular group. Competition for resources will occur, at which point the question becomes: who will establish the priorities for controlling those resources?

The institutions of higher education, then, particularly those in the public domain (though much of what has been said applies to the independent sector), are subject to a pattern of internal and external controls which seems to me to resemble nothing so much as a marble cake. There are, to be sure, successive layers of authority both within the institution and external to it. Nevertheless, the powers exercised by a college executive, board, or committee are circumscribed by authority held elsewhere in the total system of higher education. Furthermore, administrative, curricular, personnel, and financial decisions are so interconnected that it is often difficult to find the responsible authority. Thus I say that the governance of an institution is diffused and "marbleized". Let me suggest that a symptom and a symbol of this diffused authority can be recognized in the committee structure of a major university or college today! The number of persons and groups who must be consulted by the decision-maker would have staggered the mind of a college president just one generation ago.

Think about this for a moment. Is there anyone in the college community who is not touched by a decision to eliminate or develop a degree program, to create a new graduate or professional school, to open or close an extension center, to raise staff salaries by five per cent or not to raise them, to undertake a large-scale renovation of an important building, to build or not to build a new library, to reorganize student services, to change the percentage

of students offered admission, to accept a million-dollar grant for restricted purposes? The impact of these kinds of decisions has a ripple effect spreading out from the immediate group or location, to the far corners of the institution, student body, faculty and staff. Think also about the number of people in the community external to the college or university who are affected by these institutional decisions. Thus the circle of control, of those who seek control, is gradually and inevitably enlarged.

Of course, the size and complexity of higher education have a great deal to do with the question of control. The figures of growth in the years since World War II are well known, and I will not rehearse them here. We would all agree that higher education has been enrollment-driven, especially during the past two decades. The growth in agencies of control throughout this period, moreover, has had as much to do with increased enrollment as with the representation of new interests, forces, and policies in higher education. The shift in percentage of enrollment from private to public institutions has occurred during this period. As public systems have expanded to accommodate millions of new students, state, local and federal government have greatly increased the span of their involvement and depth of control.

Issues Facing Higher Education

As prelude to the final remarks of this paper on the question of who should control an institution or a system of institutions, let me list the issues higher education faces in the coming decade. These issues, I believe, will form the arena in which the struggle for control takes place. What follows is the view of an educational practitioner who makes no claim to omniscience in the art of discerning the future.

There are, it appears to me, seven categories of issues which must be addressed and resolved during the next few years. They must be resolved in order that higher education be improved. They must be resolved, else higher education may well decline even more in public esteem, with disastrous results both for the colleges and universities and for society in general.

First is the category of issues revolving around enrollment--stabilization in the late 1970's, decline in the 1980's--issues reaching into the last decade of this century. Can the decline in the number of traditional 18-to 22-year-old undergraduate students be compensated for by an increase in adult education, as many faculty and administrators hope? Or by greater participation rates of hitherto underrepresented groups, or by generous new educational leave policies built into collective bargaining agreements, or by re-certification and re-licensing policies in the professions? On the other hand, what are the implications of the reversal of the enrollment-driven expansionist economy in higher education? What will happen to faculty and facilities as they are no longer needed?

Since the answers to these questions are viewed as life and death matters in the minds and emotions of tens of thousands of college and university employes, we can expect them to attempt to become directly and fiercely involved in the decision process out of which solutions will arise. In the end, however, no matter what policies campus administrators make about these questions, the broader decisions are likely to be made by government, and ultimately by the courts. Thus in this crucial category of enrollment, control is passing from the campus to other levels.

Second is the category of access and equal opportunity, both for enrollment and employment. Included here are the issues of open admissions (related of course to enrollment policies), testing, remedial and retention measures for

student, recruitment of underrepresented groups into faculty and staff, affirmative action, "reverse discrimination", and the question of what equity means in a period of declining financial support for higher eudcation. These issues originate locally as questions of academic policy to be decided by academic committees. But since they are part of broader social and political issues currently being considered in the larger society, they cannot be solved by the academic community alone. These questions reach to bedrock precisely because access and equality of opportunity have not yet been solved in the larger society. Because higher education is a major employer, the matter of who works or does not work in the college or university is critically important to the persons affected. One cannot imagine that these matters will be negotiated by the college or university acting by itself. All levels of government will be drawn into the discussion and, again, certain questions will doubtless be decided by the courts. For this category of issues, then, decision-making authority resides in both the institution and government, with the latter assuming an increasingly important role.

The third category of crucial issues is that of financing higher education, including federal, state, and local funding, aid to private institutions, establishing tuition levels, student aid, and institutional budgets. Institutional compensation, personnel policies, and the development of faculty and staff unions are elements in this category. Budget-making, more than any other single administrative task, is political in nature. The budget determines what happens on a campus; it is at once a statement of objectives, a declaration of priorities, and a definition of the means by which institutional goals and priorities are to be met. It is a "power" document and, therefore, power is exercised by all who participate in its formulation. For public institutions and systems, the budget process is so important that it begins, not on campus,

but in the state agency responsible for establishing budget guidelines. Within that framework, the campus discussion takes place; when recommendations have been winnowed down into a single document, the state agencies take over.

The budgetary process is a preeminent example of how control has shifted from the institutional level to external agencies.

Budgetary and financial questions are going to be decided by legislatures. For public higher education, they always were; but just a few short years ago, the debate was simple--or at least there was very little debate. In the period of enrollment growth, budget requests were customarily met. Not so any longer. The question of what share of the state budget higher education is to receive is now strongly contested in the state budget offices and legislatures. All the major issues are raised: the purpose and mission of the institution or system, whether access and service are available to the people, whether students are receiving their money's worth, whether the institutions are properly training young people for productive employment, or merely "educating" them, whether the taxpayer should pay for research, whether faculty are working hard enough, whether they are paid enough or too much, and whether (and to what extent) student aid should be funded by the state treasury. A further question which both legislatures and coordinating boards must resolve concerns the correct share of the total higher education budget to be allocated to those segments receiving state aid--state universities, state colleges, community colleges, and independent institutions.

In matters of budget, it is clear, legislative bodies have the final authority, although some governors have item veto and can delete funds. To a large extent, the amount appropriated by the legislature also determines tuition level which of course has bearing on the access question. Since the budget of any institution of higher education has so many claims made upon it,

employes of the institution as well as outside groups may attempt to influence the legislature in the direction of their interests. So, for example, faculty unions or other employe unions will seek to persuade the legislature to appropriate budgets sufficient to fund pay increases, and they will seek to persuade coordinating and governing boards to allocate a large share to their segment or institution.

The budget fuels other decisions. In the last analysis, therefore, those who establish the funding levels and set priorities within the budget determine how the institution will function. To the extent that those decisions are now made by legislative committees and their staffs, and by the governor's budget director and staff, control over the institution's destiny has passed out of the hands of the institution's officers and faculty. I think this has been a clear tendency during the past decade.

The fourth broad category of issues concerns the missions of institutions or systems. These, together with the budget, determine the boundaries for the academic programs, research, and public service. They establish the nature of the clientele to be served and the degree of independence which a single institution can expect to exercise within a state-wide plan or state system. Missions cannot be considered apart from available financial resources; nor can they be considered apart from state or even national policy on enrollment and access questions. Thus, by their very nature, decisions on the mission of a college or university or system are not left to campus authorities. Again, the power to make decisions lies outside the individual institution.

Category five centers around the issue of educational quality: improving the educational experience, modifying and changing academic programs to meet new conditions, responding to new student or societal demands. Both literally and figuratively the question may be asked, how does a college or university

create a curriculum for the 21st Century? Significantly, of all the questions discussed to this point, only these have been left wholly to faculty authority. In many ways this is the central issue, with all the others merely being mechanisms to achieve satisfying learning experiences for every student enrolled.

A sixth set of issues: how will institutions retain independence in the face of accelerating government intervention, federal government, state government, the courts, coordinating boards and local government? Or, as a prior consideration, should a college or university retain independence? If not, what are the consequences for education? I fear we in higher education have not adequately examined this issue, neither state officials, legislators nor academic administrators.

Examples of loss of control by the institution's officers and faculty over the institution's central direction and basic academic development abound, as I have tried to show. On matters so diverse as student aid, which affects access, affirmative action, which affects the composition of faculty and staff and therefore curriculum, and basic research, the federal government is now intervening and making policy, controling both the institutions of higher education and state government. An especially appealing debate on this issue, for this bicentennial year, can be found in the writings of Daniel Webster and Thomas Jefferson on the famous "Dartmouth College case," which led to a seminal decision of the Supreme Court in the early years of the Nineteenth Century. I commend Webster's argument and John Marshall's famous opinion to your close attention.

The seventh issue embraces all the foregoing: how does an educational institution plan for the future, and who does that planning? Who sets the objectives and boundaries of the plan? Who is in control of the process? Who participates? It is obvious that all of the issues described above are

closely interrelated and can be separated only theoretically. In practice, administrators and faculties, boards, legislatures, and state agencies do not separate these issues into neat little boxes, where problem A is solved this month, problem B next. The issue of state-wide planning in public systems has become far more important during the last few years as the evidence of financial stringency has presented itself to state authorities. In the days when there was enough money to support basically what institutions wanted to do, planning was not so necessary. In 1976, it is necessary, and both public institutions and private are increasingly required to conform to state plans that they themselves do not determine. They may participate; but they do not have the final authority.

State plans for higher education limit. Institutions, for reasons that are well-known, are not fond of being limited. Multi-purpose institutions wish to remain so. They want to be free to expand. Many smaller institutions aspire to multi-purpose status. Faculties who observe the coming enrollment decline want to increase the number and variety of their degree programs in order to attract more students and thus prevent their own demise. All of this is to be expected. Higher education is now in the situation where the struggle for control between the institutions and their constituencies on the one hand and the state authorities on the other is accelerating. In my view, this increasing conflict is inevitable, unless governmental authorities at both federal and state levels recognize that the loss of institutional self-control is bad for education, and unless the institutions recognize the primary duty of government to establish priorities and to allocate resources to achieve those priorities.

Approaches to the Problem of Control

Governmental authorities have or should have the wider public interest in view. They therefore make broad public policy to advance that public interest in such areas as mission assignment, overall scope of an institution, access, equal employment opportunity, and level of funding. Within that policy framework and funding level, institutions should be free to organize their resources, to create programs in pursuit of assigned missions, and to be administered by their own officers and faculties rather than by those outside the institution. Only in this way will institutions regain a sense of identity and purpose and keep from being homogenized.

The issue of control can be considered from two points of view. Let me express them in polarized fashion to sharpen the argument. Institutions do not want to recognize the prerogative of government; nor do they often agree with a state authority's perception of public interest; at the same time, government does not trust the institution to meet state or national policies or to exercise restraint in the face of declining financial resources. As a result, government at all levels becomes more active and, some would feel, more intrusive. Outside interests influence and test the institutions. Institutional personnel grow angry, cynical, and non-cooperative. Educational planning is fitful, departmental imperialism waxes, academic programs deteriorate, and the integrity of the educational enterprise diminishes.

How are we to grapple with all of these issues? How are we to resolve the question of control? A number of approaches suggest themselves.

First, state government must make its responsibility clear to all concerned--for overall assignment of mission, for level of funding, for state policy on access and equality of opportunity. These are political issues and must be decided by elected representatives. If the public is not content with the way they are decided, the public can elect a new administration and a new legislature.

Second, state government must make clear that state-wide planning is fully within its authority and must declare how such planning is to be organized and carried forward. Again, this is an issue which transcends a single institution or a single system. Allowance must be made for participation, but there must be clarity on the decision-making authority.

Third, within a framework of state policy (and federal policy where applicable), institutions should be free to develop their own answers to their needs. Within the limits of the budget, once established, institutional officers should be regarded as responsible and capable of administering that budget without undue interference.

They should be evaluated and held carefully accountable at appropriate periods. If they are not capable, they should be removed.

Fourth, within the framework of state-wide policy on planning and on the mission and scope of the institution, the development of academic programs and student services should be the faculty's responsibility. Such freedom allows for very serious problems; for example, scarce resources conflict with expansionist faculty interests, and the faculty instinct for self-preservation takes the form of proliferation of courses and degree programs. Most of us in state government have been wrestling with this problem in recent years. I am, nevertheless, convinced that faculties must be responsible for academic policy and curriculum development. If they cannot learn how to accommodate to current conditions, the budgetary facts of life in the next five years will instruct them. But the power and authority of the faculty in this area ought not to be weakened. This is not just a matter of academic tradition. It is, directly, the faculty's job. If they do it well, the chances are the institution will thrive. When academic planning is not done well, carefully, with sensitivity for current conditions, the state authorities can and should offer assistance; but such authorities must not substitute themselves for the faculty in the process.

Fifth, both state government and the educational institutions must find an identity of interest in keeping the federal government within strict bounds. I have not thus far said much about the influence of the federal government--all three branches--in the affairs of higher education. That would require another paper. Perhaps many of us would agree that the federal government's influence in higher education has on the whole been beneficial. But I think there is an analogy to be drawn between federal interference with state responsibilities and actions, and state interference with institutional responsibilities and actions. There are certain issues about which much useful discussion has occurred regarding the federal role: medical and health education, vocational education, the application of Title IX and Equal Opportunity Commission regulations, and student financial aid. Yet the proper relationship between federal and state agencies in the field of higher education in general has yet to be resolved. The higher education constituencies might well ponder this question more deeply than they have, for federal policy will follow upon federal dollars in pursuit of federal or national objectives. Not a few educators and officials believe the federal government is now too intrusive in the affairs of colleges and universities, adding yet another layer of control to that of state government. How many of us would be willing to predict that the federal role ten years from now will be less than it is in 1976? And what are we willing to predict for the year 2076--our tricentennial?

At the beginning of this paper, I observed that one of the difficulties of higher education has been the penchant of institutions to attempt to be

all things to all people. I regard the rise of the "multiversity" as a mixed blessing, and I deplore the willingness and tendency of many smaller colleges and universities--particularly those in the public sphere--to become something which they are not by embracing all manner of new interests and groups. Serving the public in new ways--a proper objective for a publicly supported institution--should not be taken as license to enter into competition on all fronts with neighboring institutions. Indeed, if institutions would narrow their scope, if they would focus and clarify their purpsoes and objectives, it is just possible that they would perform at a much higher level; they would, perhaps, provide better quality education. Status and respect come with the quality of education provided, with that quality attested to by students and alumni. If institutions of higher education perform well, public confidence in them rises. With a rise in public confidence, the question of control produces less tension within the ranks. Perhaps one solution lies in a return to a smaller and more focused or specialized kind of institution of higher education. Diminution is likely to occur, whatever we do, because of long-term trends in the birthrate and changing attitudes of the young towards college. Why not, then, make a virtue of necessity, and sharpen the focus of colleges and universities? Why not let differences emerge and build upon those differences to achieve the highest quality within a narrower range of programs and services?

I am not suggesting that the struggle for control of educational institutions and systems will go away, or even that it will be ameliorated, although I would hope the latter, at least, could prove true. I am suggesting a clarification and recognition of the respective roles of state agencies, boards, and the officers and faculties of the educational

institutions. Out of such clarification and recognition can come the possibility of partnership in the governance of public colleges and universities. Out of partnership can grow workable solutions to the immensely difficult problems higher education faces in the next decade, and, perhaps, for the remainder of this century as well.