

APPENDIX

The Glion Declaration 2000 University Governance at the Crossroads

Frank H. T. Rhodes

On behalf of the Glion Colloquium

The editors stress that the structures, missions and challenges of Western European and American universities have much in common. But there also exist significant differences, one relating to governing boards. In the United States, these boards fulfill important functions. But, in Western Europe, they do not exist at all, or only in a weaker form. Some European countries have boards similar to the American boards, but with less or little decision power. Others have no board or a board without authority; they have instead “participation councils”, where the different internal stakeholders are represented. Moreover, some of the roles exercised by American boards are played by the State.

This declaration is influenced somewhat by the American environment characterized by powerful boards. However, the editors are convinced that the thoughts expressed about the role of boards are of interest to readers in Europe, because the development whereby boards take over some of the power to support and/or monitor the action of the Rector, Vice-Chancellor or President traditionally invested in the State is there gaining support.

The Glion Declaration of 1998 called for the reaffirmation of the social compact between society and its universities, so as to enable them to make their fullest contribution to the changing needs of the larger global community. It also urged universities to a new rededication to effective teaching, creative scholarship and research and the development of new and expanded partnerships in the public service. The signatories to the Glion Declaration, joined by a number of additional colleagues, met again in Del Mar, California,

from January 5-9, 2000 to consider the governance of universities in Europe and the United States, and especially its relationship to their institutional well-being and effective performance.

THE DISTINCTIVE ROLE OF THE RESEARCH UNIVERSITIES

In both Western Europe and in the United States, there exists a number of distinctive universities, sometimes referred to as major research universities, that educate a substantial portion of those earning first professional degrees and the vast majority of those earning the Ph.D. and advanced professional degrees, that perform most of the basic research, and play a major role in technical development and public service. They do not stand alone in this. We recognize their heavy dependence on all other educational institutions—primary, secondary and tertiary—and applaud their efforts to increase cooperation with and provide added support for these and other institutions.

Universities are communities of enquiry, discovery and learning, created and supported by society, with the conviction that the growth and diffusion of knowledge not only enrich personal experience, but also serve the public good and advance human well-being. The university learning community—now enlarged by the steady growth in outreach of its activities beyond the campus, by growing participation in traditional courses and programs and by the worldwide explosion in all forms of distance learning—must assume an expanded role, undertake new tasks and accept added responsibility in a society where a global economy, growing competition and rapid technological change make it increasingly dependent on knowledge as a basic economic capital. Even as we applaud the readiness of the university to embrace this larger role, we note that it imposes new strains on long-established values and long-standing practices and produces added tensions in traditional patterns of institutional governance and management. It is to these challenges that we now address ourselves.

INSTITUTIONAL VALUES: FREEDOM AND RESPONSIBILITY

The effectiveness of the university over a period of more than nine hundred years has been dependent on the maintenance of a judicious balance between freedom and responsibility: this balance has involved institutional autonomy, allowing freedom of enquiry, expression and teaching, on the one hand, and, on the other, self-regulation, educational integrity, scholarly impartiality and professional responsibility. It is this balance which has served as the basis for the social compact, in which society supports the university, financially and in granting a remarkable degree of institutional autonomy and academic free-

dom, with the understanding that both its resources and its freedom will be used responsibly to serve the public interest.

This mixture of freedom and responsibility has served both society and the university well, but we now see it under growing strain, from both internal changes and external forces. In the United States, for example, the desire to encourage student achievement has seen the traditional commitment to educational integrity weakened in some institutions by widespread grade inflation; greater commitment to research has led in some places to inattention to undergraduate teaching and the subordination of advising and mentoring; a desire to recognize the interests of a wider public has sometimes led to partisanship within the classroom and the rise of "political correctness," while, perhaps from a sense of civic concern, scholarly impartiality has been weakened, in some cases, by advocacy, thinly disguised as scholarship. In several European countries, reduced funding has produced so great an increase in teaching loads as to diminish the effectiveness of some research programs. In identifying these issues, we mean neither to exaggerate their particular impact, nor to suggest that they are ubiquitous, or that collectively they represent a crisis in the affairs of the university. But, they do exist and, unless they are addressed, they could become serious challenges to the norms of impartial scholarship, true freedom of expression and full and fair enquiry that have long been promoted by the university.

Other challenges to these norms and values come from the commendable efforts universities are making to extend their outreach and enlarge their public service. In their attempts to cooperate with industry, universities wrestle with demands for restrictive corporate contracts and exclusive partnerships. In an attempt to increase sources of support for their traditional teaching responsibilities, some universities have experimented with the creation of separate for-profit companies, seeking to benefit from everything from distance learning to athletics, to technology transfer. In their efforts to better serve the public, universities have undertaken the sponsorship and management of community enterprises, such as schools, environmental initiatives and health care organizations, sometimes in alliances with public agencies, or other groups. All of these pose unfamiliar challenges to traditional campus norms and values, even as they seek to extend the effectiveness of the university's services and increase the usefulness of its activities. Paradoxically, each new initiative to increase the inclusiveness and extend the usefulness of the university poses challenges to familiar styles of governance and management and traditional values and raises difficult questions of institutional responsibility.

We should be neither surprised nor dismayed at these internal and external stresses, for the history of universities is rich in comparable examples, from the development of the curriculum and the nature of oversight of student conduct to the growth of scholarly enquiry and applied research. But history also

reveals that the cherished values of the university—integrity, excellence, community, openness, respect, civility, freedom, responsibility, impartiality, tolerance—all exercised within an autonomous community of learning, are not items of intellectual adornment or personal convenience but are a means to an end, the essential requirements for the effective pursuit of knowledge. These values are, however, neither an excuse for inaction nor an alternative to appropriate accountability. They are the lifeblood of the institution. Developed and refined over centuries, contested within and tested from without, they have proved the essential means not only for effective learning and discovery, but also for its wise and humane application to human needs. It is these values that must continue to be prized and preserved and the principal responsibility for this rests with the board members, officers and faculty of each university. How these values are reflected and embodied in the life and work of the university will, no doubt, vary from institution to institution. That they should be reflected, is everybody's business. This is no casual obligation, but a responsibility of surpassing importance, for without respect for these values, there can be no university worth the name. In fact, in those countries where these values have been neglected or suppressed, universities have become places of political turmoil, pedestrian training, or dogmatic propaganda. We call on our colleagues to reaffirm and reassert these ancient values and to embrace them in every aspect of the life of their institutions.

INSTITUTIONAL AUTONOMY AND GOVERNANCE

Just as individual freedom has emerged as an essential means for the effective pursuit of knowledge, so also has institutional autonomy developed over centuries as the most effective means of harnessing knowledge to the public good. The means to achieve this autonomy differ from country to country and, in some cases, from institution to institution. In general, public universities, both in the United States and, to a lesser degree, in Western Europe, are governed by boards with substantial public representation, with a membership achieved either by constitutional, governmental or gubernatorial appointment or by election. In some cases, as in American public universities, the board has wide powers, appointing the president and granting tenure to faculty, for example, within a budget approved by the state legislature. In many European countries, in contrast, the university rector, or president, and the professors are formally appointed by the state, after nomination by the university, according to a procedure specific to each institution. In other European countries, some of the board's responsibilities are delegated to participating councils, composed of representatives of different stakeholders. In the quite different case of the private universities, which are found chiefly within the

United States, the board is typically self-appointed and is the final governing body for all decisions, though in practice many responsibilities are delegated to others.

We are concerned here with the broad principles of shared governance, between the board and/or council, the president and the campus stakeholders, especially the faculty. Because of the widespread existence of governing boards, and as many European universities which now lack them are in the process of developing them, we concentrate on the work of boards in the comments that follow.

The function of a governing board is always twofold: it serves, on the one hand, to ensure the public responsibility and accountability of the university and, on the other, to defend the autonomy and integrity of the institution against erosion or attack, both from without and within.

Because the governance of institutions of higher education has been entrusted to a designated group of public representatives, responsible for the oversight of its affairs and the integrity of its activities, the board has ultimate authority over and responsibility for all the activities of the university, though in practice it delegates much of its authority and support. In the United States, for example, the board annually confers upon the president the right to award degrees and delegates to the faculty the responsibility of developing the curriculum. This pattern of delegation and the tradition of shared governance it represents is never absolute; it may sometimes be subject to review and it may also involve some tensions. It is well, however, to minimize ambiguities and clarify the exact nature of delegation. Thus, typically, in the United States, for example, the responsibility for student admissions is delegated to the faculty and administration, but recent actions by the regents of some major state university systems have limited that responsibility. Similarly, the responsibility for curriculum requirements is substantially delegated to the faculty, but recent actions by the trustees of another major state university have eroded that particular responsibility.

The exact composition, role and responsibilities of governing boards differ from country to country. In the United Kingdom, an official guide to the conduct of board business has been published. We urge similar clarity in other cases.

We are persuaded that effective governance by the board, responsibly exercised, is just as vital to the performance and well being of the university as are the responsibility of the faculty and the effectiveness of the administration. We believe that a number of recent trends threaten to weaken this governance, especially within the public universities in the United States, where political influence and special interests sometimes compete with responsible governance.

EFFECTIVE TRUSTEESHIP: THE ROLE OF GOVERNING BOARDS

Just as we call on members of the faculty to play a responsible role in all their university activities, so we call on trustees and members of governing boards to exercise their fiduciary power in governance responsibly. At a minimum, this seems to call for:

- Reconsideration of the application of public meetings law requirements and a prudent evaluation of their benefits against the “tyrannies of transparency.”
- Improved selection of trustees within constitutional categories, perhaps by the appointment of an independent screening board to provide impartial assessment.
- Reconsideration of board size (often now eight members in many public universities in the United States) in relation to function, with the possibility of increasing board size by adding additional independent members.
- Regular self-assessment of performance by the governing board.
- Development by boards of a code of conduct.
- Informed governance, based on adequate knowledge of the complexities of the institution. That, in turn, requires an adequate information base, involving not only statistical profiles and budgetary allocations, but also an understanding of the nature, quality and relationships of campus programs and activities.
- Appropriate delegation of some authority to other responsible groups and bodies (the president, the faculty and so on) with the understanding that explicit clarification of this delegation is likely to improve effectiveness, that decisions made by others under such delegated authority may sometimes be subject to board review and reconsideration, and that the board may not delegate its ultimate authority for the mission, integrity and financial viability of the institution.
- Recognition of the fact that board members, as citizen representatives, exercise not only institutional oversight, but also the responsibility to defend and promote the institution and nurture its values. Their loyalty to the larger public interest can be served only by their commitment to the institution as a whole, rather than to any constituency or special interest, whether internal or external. They should exhibit in their own conduct the high professional standards and impartiality they require from the faculty.
- Recognition and appreciation of the extraordinary variety, traditions and complexities of institutions of higher education, knowing that any general statement has exceptions and that no single pattern or style of governance can possibly be appropriate for all: nor can any

statement of principles be prescriptive. Nevertheless, because the board is responsible for the well being of all members of the institution and is the custodian of its resources, it has a particular responsibility for ensuring due process, orderly procedures and appropriate levels of decision-making and appeal. It will contribute to the harmony of the institution by requiring the development and application of these procedures.

- There is a world of difference between governance and management. Governance involves the responsibility for approving the mission and goals of the institution, the oversight of its resources, the approval of its policies and procedures, the appointment, review and support of its president, and an informed understanding of its programs and activities. Management, in contrast, involves the responsibility for the effective operation of the institution and the achievement of its goals, within the policies and procedures approved by the board, the effective use of its resources, the creative support and performance of teaching, research and service and maintenance of the highest standards of scholarly integrity and professional performance. The responsibility of the board is to govern, but not to manage.
- In American universities, the most important single responsibility of the board is the selection, appointment, periodic review and continuing support of the president. Candor, fairness, understanding and trust are essential ingredients in this critical relationship. The president, while performing at a satisfactory level, is entitled to the sustained support, candid advice and personal encouragement that the board is uniquely able to provide. That neither removes the need to question and to challenge, nor the obligation to understand the views of other interested parties, but the president has both a unique claim and a substantial need for the understanding and support of the board.

CAMPUS GOVERNANCE: THE ROLE AND RESPONSIBILITY OF THE FACULTY

In urging greater attention to institutional values, we urge consideration of the following issues:

- We are particularly concerned that, in introducing newly appointed scholars to the professorial ranks and in preparing graduate students for scholarly careers, little or no attention is paid to the cultivation of scholarly values and professorial obligations. We urge faculties to address this lack.

- There exists at present a one-sided obligation in which the university is expected to provide tenure, compensation, professional support, technical services, facilities, equipment and the protection of academic freedom to the professorate, while the reciprocal obligations of the faculty member are nowhere specified. We believe a professional code of conduct would redress this imbalance and we urge the cooperative development and implementation of such a code by the administration and the faculty.
- We believe that the well being of a university requires responsible participation in matters of faculty governance and we urge the renewal of faculty interest in this important privilege. Such governance involves participation at all levels, including the department, the college or school and the institution. In Europe, where staff and students are part of the internal governing body, we urge the same responsible, informed involvement.
- We urge the principle of subsidiarity in campus governance, in which decisions are made at the lowest appropriate level of responsibility, so improving participation and understanding, and encouraging added responsiveness and accountability. We believe that, subject to the framework of the campus code, an aggrieved individual should generally have the right to appeal a particular decision to a level one step above the immediate supervisor.
- Not all “stakeholders” have an equal claim to participate in campus governance. For example, delegated authority from the board is never permanent. Nor do those with little experience and knowledge—students, for example—have equal claim to guide curriculum development as do those with substantial experience and knowledge—the faculty, for example. But, knowledge and experience are generally confined to particular areas of expertise. No faculty member and no board member, for example, can speak for the entire institution. Only the chairman of the board and the president can do so. Systems of campus governance should reflect these various levels of responsibility, avoiding burdensome proliferation of committees in favor of a streamlined governance system, with clear guidelines concerning the respective authority of each of its administrative officers and participating member-groups, and with definition of particular areas involving variously the right of information, consultation, consent or approval. Much of the present ineffectiveness of faculty governance and the cumbersome nature of decision-making reflects the confusion between the right of the faculty to be informed, their right to be consulted and their right to approve.
- The elaborate structure of campus governance and the labyrinth path by which consultations occur and decisions are generally made will

experience growing strain in the face of the increasing need for making difficult, and sometimes unpopular decisions, responding promptly to rapid changes and satisfying the burgeoning demands of government oversight and requirement. We are also concerned that because these structures and the notion of academic freedom have sometimes been used as an excuse for a failure to look critically at the performance of the university and the painful question of whether it practices the lofty values it proclaims, the public will become less tolerant of both the autonomy and the shared governance of our universities. If we wish external critics, of all persuasions, to respect the enormous importance of the research university and to recognize the need for latitude and freedom in the way it discharges its responsibilities to society, we need to respond to these concerns, to use our governance to address our own shortcomings effectively and to demonstrate that we are doing so.

- We believe effective governance requires shared goals and recognition of their achievement. We believe that faculty should be recognized and rewarded when they achieve professional success in their teaching or research, or display conspicuous devotion and commitment to their institution and its goals. This could be encouraged by designating some significant portion of the total annual faculty salary pool to be available as bonus payments to those faculty members whose performance has been outstanding.

THE ROLE OF THE PRESIDENT, VICE CHANCELLOR OR RECTOR

The essential link between the governing board and the institution it represents is the president, vice chancellor or rector. For convenience, we refer to this individual as the president. Without effective presidential leadership, no system of campus governance can be effective.

- It is the role of the president, not only to explain the role and concerns of the board to the campus community, but also to interpret for the board, the distinctive role and concerns of the faculty and other members of the campus community. The basis of this role is mutual respect and trust, without which no strong system of campus governance can develop.
- The president must lead. The president is far more than an intermediary between these groups. It is to the president that both the board and the campus look for leadership and direction. The president must supply that leadership, accepting the responsibilities and opportuni-

ties afforded by the office and delegated by the board. Presidential timidity and endless compromise are the enemies of effective campus governance. Nowhere is the need for presidential leadership greater than in leading the process of developing a statement of institutional mission, in consultation with the faculty and other stakeholders and subject to approval by the board. The president has a unique role in creating a sense of confidence and commitment among members of the campus community and in nurturing and promoting the values on which the well being of the institution depends.

- The judgment of the president is essential in achieving an effective balance between executive decision and campus and board approval, so assuring an appropriate role for each of the participants in the developing affairs of the university. Delegation, consultation, review and approval, should represent an orderly process, based on mutual understanding which pays due regard to the appropriate role and responsibilities of each of the several partners. This requires careful thought and planning of information flow, agenda preparation, consultation and cooperation.
- The president, as the duly appointed senior officer of the university, should enjoy the support and trust of the board. Proposals for action, carefully conceived, fully articulated and appropriately reviewed, both on campus and by the board, should be expected to find approval and support. While neither members of campus governance groups, nor members of the board, should ever regard their duties as mere formality or rubber-stamp action, an effective system of governance requires a clear working agreement on various areas of responsibility and the need for timely review and closure.

CONCLUSION

For over 900 years the university has supplied society with three vital commodities – shared experience, demonstrable knowledge and humanely used skills: these remain the business of the university, at once both its means and its products. Our successors in the new millennium will look back on a planet and a people whose condition will largely reflect how responsibly, intelligently and humanely we, the members of the universities, have cultivated them today and how wisely we have governed the remarkable institutions in which they are nurtured.

We believe that attention to the issues we have identified will strengthen the governance and thus improve the capacity of our universities to continue to play a beneficial role in society.