



Association of Governing Boards
of Universities and Colleges

State Policy Brief

No. 2 July 2004

The Case for Effective State-Level Education Programs for Public College and University Trustees

Executive Summary

State policymakers have a vested interest in the successful governance of their state's higher education system. The citizens chosen to serve as trustees and regents of the state's colleges and universities oversee valuable public assets that they hold in trust for current and future generations. All appointments to governing boards should be made with great care, and trustees and regents, once selected, should be given first-rate learning experiences to help them fulfill their individual and collective responsibilities.

This paper is intended to articulate some principles and good practices for leaders who wish to establish state-level trustee-education programs or improve existing ones. It draws on practices in use in Illinois, Kentucky, Texas, and West Virginia. Comprehensive education programs serve several purposes, among them providing opportunities for elected leaders and trustees to interact on critical issues facing the state and its colleges and universities.

About State Policy Briefs:

AGB periodically publishes informal papers on timely topics that reflect best policies and practices in state government's relationship with public and independent colleges and universities. The papers are intended for governors, state legislators, and their staffs as well as organizations concerned about effective public policy. State Policy Briefs are published under the auspices of AGB's Center on Public Higher Education Trusteeship and Governance, which serves as an independent resource on the subject of this paper and others in the series. For more information about AGB and the center, visit www.agb.org. State Policy Briefs may be downloaded in .pdf format at www.centerforgovernance.net. Copyright © 2004 Association of Governing Boards of Universities and Colleges, One Dupont Circle, Suite 400, Washington, D.C. 20036.

How Are Today's Trustees Educated?

It is common for institutions or university system offices to conduct institution-based in-service trustee orientation and education. These gatherings usually are led by the president or chancellor and other senior administrators, sometimes with the assistance of experienced board members or third parties. Activities include orientation of new board members to the campus or system operations—perhaps also to the state and institutional or system budget process, to the curriculum, and to unique characteristics of the institution(s).

Board retreats are another type of in-service learning opportunity. They are held periodically to discuss strategic challenges to the board or institution, to initiate a planning process, or to reflect on past performance.

The existence, frequency, and content of state-level trustee-education programs to compliment institutional or system programs vary greatly. At one end of the continuum are states that by law require such programs to be offered, either annually or biannually. In a few of these states, trustee participation in these programs, under the label “continuing education,” is mandated. At the other end of the continuum are the many more states that provide no opportunities for trustees to gather for educational and informational purposes.

Between these two extremes lies the majority of state programs, though in many of them programs tend to be scheduled irregularly, lack a clear advocate or sponsor, are insufficiently funded, and are viewed with ambivalence as to their importance. Although state discussions of higher education may address many critical issues—the higher education budget request, the statewide plan for higher education, or the responsibilities of colleges and universities in economic development—topics of trustee education and development, unfortunately, rarely are discussed. There is much room for improvement.

There is a cohort of states where political and educational leaders see the importance of state-level trustee-development programs as a means to improve higher education governance. These states tend to be those with multiple governing boards and, consequently, fairly large numbers of public two-year and four-year institution trustees. These states have seen the benefits of bringing together trustees to engage in conversations and learning opportunities in the conduct of public trusteeship *and* to hear from state leaders about concerns, plans, and priorities for higher education. Among these are Illinois, Kentucky, Oklahoma, Texas, and West Virginia. Some of these states have a long history of providing successful state-level programs. Others have a more recent history. Several of the ideas in this paper are drawn from the programs conducted in these states.

What Are the Goals and Purposes of State-Level Trustee-Education Programs?

The overall goal of state-level programs should be to strengthen of public higher education citizen leadership. The following five broad, mutually supportive purposes should underlie the programs' goals.

1. *To provide a unique opportunity to engage in discussion of good practices in the conduct of public academic trusteeship.* Statewide education programs, if planned and conducted effectively, can address topics that institution-based programs would unlikely address, such as board ethics and conflict-of-interest issues, strengthening board-executive relationships, and good practices in performance assessment and compensation reviews. Other illustrations of pertinent board-education topics that a statewide program could address include the following:

- exercising the appropriate degree of academic and financial-affairs oversight,
- developing a good set of board bylaws,
- developing board policies successfully under state sunshine laws,
- maintaining effective relationships among competing stakeholders,
- ensuring the clarity of board policies on accountability, and
- working effectively with the university-affiliated foundation on private fund-raising goals.

Not all topics need be addressed during a single meeting, of course. Focusing on three or four topics should provide plenty of information for board members to digest. Discussions should be devised in a manner to engage newer as well as more experienced board members.

2. *To provide trustees with a fuller understanding of the immediate educational, social, and economic challenges facing the state.* This can include discussion of the state economic outlook and fiscal situation as well as information on the state's political environment. This provides an opportunity for state leaders to interact with trustees and discuss any state plans or priorities for higher education, such as new or pending legislation or the projected overall higher education budget in light of current revenue projections. States that recently have reviewed or restructured higher education governance have found that initiating an annual or biannual statewide trustee conference is a valuable forum for conversations on next steps. Such conferences can provide opportunities to refocus board responsibilities and expectations and to build cohesion and momentum for a new direction in state higher education policy.

3. *To help connect the work of trustees to the state's educational, social, and economic challenges, particularly those that require higher education's leadership.* Some of these challenges are in elementary, secondary and adult education; some are within higher education; and others are outside of education but are critical to the state's future. Each state will have its own unique agenda for higher education, but common elements within many states include the need to do the following:

- maintain access and affordability in a time of decreased resources and increase the number of high school graduates enrolling in college,
- reduce escalating costs,
- face increasing enrollments and/or an increasingly diverse student body,

- maintain the proper balance between market competition in higher education and central statewide planning,
- improve the public schools and devise strategies for reform,
- balance contributions to a changing state economy with a focus on improving the overall quality of life,
- develop more refined ways of measuring performance and demonstrating and accountability,
- increasing college student persistence and graduation rates.

Addressing these and similar challenges effectively requires a collective or collaborative state-level response by higher education leaders. Engaging trustees for ideas, support, and state-level solutions is pivotal. In states with single university-wide systems, trustees are far more likely to be directly engaged in policy discussions with their senior administrators about system or state-level activities. But in states with multiple boards, the engagement of trustees too often is made piecemeal or overlooked. Other challenges, such as accountability matters, intersect issues of state policy and board education. Governing board responsibilities for monitoring and ensuring institutional performance, student learning, and financial soundness are enhanced by facilitated conversations among trustees and with state policymakers. A statewide trustee meeting is an ideal place to engage trustees and commence important conversations.

In addition to these three major purposes, two less explicit but equally important purposes should undergird a statewide conference. Trustees sit at the critical intersection of state needs and institutional aspirations—a challenging, sometimes ambiguous place to be. Governing boards and individual trustees need to reconcile their joint and sometimes conflicting responsibilities to the institution and the citizens of the state. *A well-designed statewide conference can communicate the clear message that citizen board members have collective responsibilities to all of higher education, not just to their particular institution(s).* They serve the citizens of the whole state and the institution or university system they govern.

Often, a sense of broader purpose occurs at a statewide gathering that cannot be replicated in any other setting. If this can be captured and sustained, it will be invaluable to both higher education and the state. In a similar vein, because most states appoint or elect trustees by political party, a statewide conference can help to minimize political differences and create mutual understandings of the broader public good.

Similarly, statewide conferences can provide trustees with an understanding of issues at other public, tax-supported institutions. Trustees need to be effective advocates for their colleges and universities, but they also should understand where their institution's (or system's) mission fits with those of sister institutions and into the larger picture of state higher education policy. Conversations among trustees across institutional lines can help ensure that common issues and opportunities for institutional and cross-sector collaboration are explored. An annual statewide conference should not be the only venue for such conversations, of course, but it can lay the groundwork for such collaboration. Also, trustees who attend will be reassured that challenges at their institution are not unique.

For states with a state higher education coordinating agency, an additional related purpose addresses opportunities for governing and coordinating board members to appreciate their separate and distinctive, yet complementary responsibilities. In most cases, the contentious evolution of state coordination of earlier years has calmed. Leaders of coordination and institutional governance can avoid potential divisiveness and come together around a common agenda to address the many challenges facing the state.

What Are the Program-Planning Considerations?

There are several considerations in program planning and design that should be factored when launching state-level trustee education programs; they are discussed below.

The first item to be considered is an agenda that combines discussions of pertinent statewide trends, issues, and priorities with trustee-education and board-development sessions. Just as a good program should strike a balance among several clearly conceived purposes, successful programs should attempt to strike a good balance between presentation and discussion. Many trustees are successful in their careers or professional endeavors. Giving them adequate time to be heard, ask questions, and interact in small groups is key to a successful program. Most trustees do not want to feel as though they are being lectured to.

In addition to the agenda's content, a seasoned program facilitator with knowledge about good practices in other states is critically important, particularly for the sections devoted to board education and development. In states with successful programs, the faculty usually consists of persons who are knowledgeable about issues of substance but are grounded in group-process skills. Their facilitation should be supplemented by experienced presidents, board members, state higher education executives, and perhaps association executives. Another good practice is to draw upon seasoned trustees to help "teach" newer members.

Including state policymakers and important business leaders on the program is essential to the full realization of a balanced program. This may include legislators and—most especially—the governor. (Governors have participated in such programs in Kentucky, Missouri, New Jersey, South Carolina, and West Virginia, and their presence has heightened board member interest and participation.) The attorney general's office or board legal counsels should be considered to convey information, for example, about the state's open-meeting and open-records laws as well as conflict-of-interest laws. Nationally known speakers can provide perspectives on particular issues and provoke conversations in some new directions.

Ideally, the governor should be the statewide conference's chief sponsor. If the governor is unwilling or otherwise occupied, a good alternative may be a partnership between the state higher education agency and the colleges and universities. In any event, the cooperation of the state's colleges and universities and the full participation of presidents and

chancellors are critical to program planning.

A statewide program can be especially desirable where a “tiered” system structure exists for the four-year universities and regional or community colleges. It is uncommon for various coexisting system boards to interact with one another. In these cases, state policymakers, especially the governor, can make a difference by lending their influence to the program’s creation. In states without a strong state higher education agency or public university system, a consortium or state association of colleges may be a logical choice for cosponsorship.

State-level trustee education programs need not be limited solely to public institutions. Depending on the state and the circumstances, it may be desirable to include independent institutions as well. They, too, make important contributions to meeting state education goals.

States whose leaders have conducted successful statewide trustee conferences for some time usually appoint an advisory or program-planning committee consisting of college and university senior administrators, trustees, and staff from the governor’s office. The advisory committee can devise the agenda, choose speakers, and if desired, survey board members on topics to be discussed. If the higher education agency is to be the office delegated to coordinate and/or conduct the conference, it should be charged with forming the committee after broad consultation.

The state capitol usually is the best place to hold the conference but its availability may depend on whether the legislature is in session, whether the capitol is centrally located, and the suitability of nearby hotels. In many cases, participants will need to stay overnight. This suggests the scheduling of an evening session at the middle or beginning of the program, as well as an opportunity for participants to interact informally at a subsequent reception and dinner. (Scheduling of social time and interaction is very important and can add immeasurably to a conference’s success.)

It is reasonable for participants to pay a modest registration fee in addition to their travel expenses. Colleges and universities will appropriately reimburse trustees for most or all of such costs. Some states have engaged philanthropic or corporate foundations to support part of a program or certain functions such as awards dinners. Even so, the majority of conference expenses for meal functions, speaker travel, on-site hotel costs, honoraria, and so forth, should be paid through a regular state appropriation, which demonstrates to all involved that the state is committed to trustee education and service.

How often should programs be conducted? Some states sustain their leadership for annual programs. States inaugurating new programs, however, should consider holding a conference every two years. This will help ensure that interest remains high and routine is avoided. It also may be desirable to conduct the program at a different time from the state legislative session or budget process, when conversations about higher education’s responsiveness and accountability to the state’s priorities are less likely to be sidetracked by con-

cerns about adequate resources. For most states, this will mean the fall of the year.

For states just beginning to conceptualize and offer such programs, or for those whose leaders want to begin modestly, it might be best to invite only chief executives and board chairs. If successful, subsequent meetings could include all board members. During certain years in states where a large number of new trustees are beginning their terms, a separate half-day orientation session is an excellent idea—the agenda to focus on the dozen or so basic governing board responsibilities, as well as on the expectations for individual trustees.

Program evaluation should be done immediately upon completion of the event to see whether changes to the substance and format should be considered for subsequent conferences. This also could be done by e-mail. Here is a chance to elicit suggestions for topics and speakers for future programs.

Which Approaches Bode Well for Success?

State-level trustee-education programs provide unique learning opportunities for state officials and college and university trustees. They can build support and trust around a common agenda, educate a wide audience on several issues, strengthen the performance of public boards, and strengthen the relationship between public higher education and state government.

Legislation may be necessary to establish state-level programs, but it's best to avoid the temptation to mandate attendance or specific topics. Placing too many requirements of additional time or mandating continuing education for public board members may have the effect of dissuading potential candidates from considering board service. If qualified individuals serve on public boards, they will be likely to participate in well-designed and conducted programs. It is best if the governor or other appointing authority at the time of appointment articulate the expectation that trustees should regularly participate in such programs.

Conversations and consultations with colleagues in other states will provide several helpful ideas and good practices. AGB's Center for Public Trusteeship and Governance has helped design programs in many states and is prepared to provide guidance and direct services should they be needed. Indeed, cosponsorship with a credible national organization may be important.

If in-service education programs of the kind suggested here are to become more common, the keys are good leadership, good planning, and effective marketing and communication. The intent of this publication is to encourage more of them to happen!

Appendix: Examples of State Initiatives

Kentucky

A unique entity called the Institute for Effective Governance (IEG), is housed within the Kentucky Council on Postsecondary and jointly sponsored by the council and the Pritchard Committee, a long-standing citizen's committee on education reform. The IEG was established in 2002 to coordinate ongoing trustee education. It does so through an annual trustee conference and occasional spring seminars. The annual conference was created by statute and predates the IEG and is held in the fall of each year. Recent agendas for the conferences and seminars have covered conflicts of interest, presidential search and evaluation, and basic responsibilities for new trustees. Elected leaders often participate in plenary sessions.

Kentucky also restructured its governance in 1997, creating a new two-year community and technical college system, reaffirming separate institutional governance at its six universities, and strengthening the coordinating authority of the council. A major portion of recent program agendas have reflected the need to clarify new coordinating and governing board responsibilities and to unite around a strategic agenda that also was created in the 1997 restructuring.

A recent program was coordinated with a statewide faculty recognition meeting, capped off with a shared dinner with the governor. Preceding the dinner was an opportunity for trustees to mix with faculty and learn of recent research, teaching, and outreach projects. The Kentucky annual conference also invites the trustees and presidents of the state's independent colleges and universities. More information is available from:

The Kentucky Council on Postsecondary Education
1024 Capital Center Drive, #320
Frankfort, Ky. 40601-8204
(502) 573-1555

Oklahoma

The longest record of conducting statewide conferences is the Regents Education Program (REP) coordinated by the Oklahoma State Board of Regents. The program was begun in 1991 by an act of the legislature. All regents and trustees are required to take 15 “clock hours” of continuing education. The major event is the annual education conference usually held in the fall, but additional offerings for REP credit, usually devoted to single issues, are offered throughout the year. The education conferences have delved into many issues of board compartment such as ethics, as well as issues bearing on educational improvement in Oklahoma. Recently, the regents conducted a program on fund-raising, focusing on the shared responsibilities of the president, the governing board, and the university foundation. More information is available from:

Oklahoma State Regents for Higher Education
500 Education Building
State Capital Complex
Oklahoma City, Okla. 73105-4500
(405) 225-9100

Texas

Board training is required by law every two years. Arranged by the Texas Higher Education Coordinating Board, the specific areas that must be covered include budgeting, auditing, ethics, and the requirements of the state’s open-meeting laws. As a consequence, legal staff conducts an appropriate amount of the training. A recent meeting covered these topics in a separate half-day orientation for new trustees and regents. In the general conference that followed the orientation, a major focus was placed on educating board members about the elements of the Texas Higher Education Plan, a new statewide strategic agenda with ambitious goals for educating and graduating large numbers of new college students. As part of the conference’s program, an expanded awards dinner recognized those institutions and their faculties and staffs that have developed exceptional activities that help achieve the plan’s goals. More information is available from:

Texas Higher Education Coordinating Board
P. O. Box 12788
Austin, Tex. 78110-2788
(512) 427-6101

West Virginia

The state's higher education governance was recently restructured. The state eliminated two multicampus systems and created institutional boards for its colleges and universities. It created a new coordinating entity, the West Virginia Higher Education Policy Commission. Further restructuring in 2004 created a separate policy council for the two-year college system. Trustees from the two-year and four-year sectors are invited to annual statewide board-education programs put together by the policy commission. A major portion of recent programs has been concerned with developing new relationships between the policy commission and institutional governance. The programs also discuss governing board responsibility for academic affairs, accountability, and budgeting, particularly since the universities have attained new governing boards in the restructuring. Balanced with these issues have been presentations by the governor and key legislative leaders. More information is available from:

West Virginia Higher Education Policy Commission
1018 Kanawha Boulevard, East Suite 700
Charleston, W.Va. 25301
(304) 558-2736

State Policy Brief No. 1, issued in September 2003, makes the case for improving selection through merit-based processes, including the establishment of recruiting and screening panels to assist governors and legislators in appointing and confirming trustees.