Reaching Out to Strengthen Board Governance

With each passing year, higher education institutions face compounding challenges: rapidly changing demographics, mounting pressures on institutional budgets, growing mandates to increase attainment and student completion, and new and emerging methods of educational delivery, to cite only a few. On top of all that, policy makers are demanding more accountability from colleges and universities through additional regulatory and compliance standards, adjustments to accreditation, and heightened scrutiny of the quality and outcomes in the delivery of academic programs.

Effective board governance plays a central role in these strategic challenges. The debate is no longer about whether a college or university will need to change or even how much the decision to evolve will impact campus life and culture. Rather the fundamental question is: How can leaders implement innovations on campus and off that address existing challenges and position themselves strategically now and for the future?

Higher education must transform itself in order to thrive in the coming months and years while meeting the nation’s call for well-educated graduates who can succeed in the knowledge economy of the 21st century. And while this change can take many forms, part of that transformation must include strengthening governance at America’s colleges and universities.

Today, more than 50,000 men and women serve as board volunteers who hold the fiduciary responsibility to govern their institutions. Governing boards, with their policy and oversight responsibilities, have a unique opportunity—and duty—to oversee systematic change at our public and independent colleges and universities across the nation. Boards also provide a solid link between our higher education institutions and the public—following a 350-year tradition of serving as independent overseers of the public trust.

The issues confronting our sector are complex, and the current policy debates at the federal and state levels are both uncertain and unsettling—from the reauthorization of the Higher Education Act to calls for fundamental changes to the accreditation process to a discussion of a national ratings system. Clearly, many of the policy debates threaten the longstanding autonomy of the institutions that lie at the heart of the nation’s future.

To better serve boards as they grapple with the growing challenges confronting them and their institutions, we made it our mission in 2013 to expand AGB’s reach in three crucial areas.

AGB’s reach strengthened governance for individual campuses. As public expectations rise and national policy makers rethink institutional autonomy, higher education can ill-afford high-profile governance failures. Regularly referred to as “the nation’s trusted advisor” on institutional governance, AGB has helped board members ask the right questions at the right times and empowered them to take the steps that, in partnership with administrators and faculty members, will move their institutions forward.

In 2013, AGB focused efforts on the heart of any academic institution—the education of students—and explored the board’s role in working with top administrators and faculty members to provide effective oversight of student learning outcomes and educational quality. The “Improving Boards Oversight of Student Learning” project, sponsored by the Teagle Foundation, offers a collection of resources and tools to assist boards in this core area.
Ensuring effective oversight of student learning and educational quality, as well as dealing with the other issues confronting higher education, requires a new level of collaboration among boards, the administration, and the faculty. Much of AGB’s agenda in 2013, including its work on the Teagle project, was focused on working with institutions to cultivate that collaboration among various stakeholders at a wide range of institutions, including large research universities, regional public institutions, and smaller independent colleges.

AGB also issued two new statements this year: the “AGB Advisory Statement on Sexual Misconduct” and the “AGB Board of Directors’ Statement on Conflict of Interest with Guidelines on Compelling Benefit.” Both writings address pressing issues institutions face today and provide not only a much-needed assessment of the complexities that these issues present boards, but also the necessary questions and useful responses that trustees should be considering.

AGB’s reach advanced dialogue on national issues. In a major victory for higher education, AGB led a successful three-year campaign, culminating in 2013, with a decision by the Securities and Exchange Commission (SEC) to exempt college and university board members from the commission’s oversight rules pertaining to “municipal advisors.” We also issued policy briefs educating members on new developments with the SEC, the IRS, and the White House. AGB also weighed in on the proposed federal initiative to rate colleges according to performance and tuition costs and will continue to advocate on behalf of institutional autonomy and board independence. Much of this was spearheaded by AGB’s Ingram Center for Public Trusteeship and Governance, which also championed new initiatives for building state capacity through board selection and education. The Center’s innovative ideas won them landmark roles in many states’ efforts to prepare their colleges and universities for the 21st century.

Among the most anticipated initiatives of 2013 was the launch of the National Commission on College and University Board Governance in September. The commission, chaired by former Tennessee Governor Philip N. Bredesen, and including 26 higher education leaders and governance experts, has been exploring the preparedness of our governance model to address the myriad challenges confronting the sector. The goal is to ensure that this model provides the framework for boards and other institutional leaders to make the tough decisions that still lie ahead. The commission will announce its recommendations in June 2014.

AGB’s reach met the needs of a diverse membership. AGB’s primary goal is to ensure that higher education institutions get governance right. In 2013, we expanded our programs, print publications, new digital resources, and other services to reach our members at all types of institutions throughout the country and abroad. AGB Press published 11 new titles in 2013 including best sellers such as Risk Management: An Accountability Guide for University and College Boards and Top 10 Strategic Issues for Boards 2013–2014. This past year also saw our highest-ever participation in meetings and webinars, as more than ever before, board members and campus administrators alike attended live and digital meetings, learning more about today’s emerging issues and best practices for addressing them. Finally, AGB leveraged the power of social media to further our reach across the digital world. A recommitment to Facebook, Twitter, and YouTube, as well as fresh offerings on LinkedIn and the launch of the AGB Blog, all contributed to perhaps the most extensive expansion of AGB’s reach this year.

American higher education has a historic and unique model of institutional decision making. It is dependent on the independent judgment of external overseers working together with institutional leaders in the pursuit of a powerful education for our students. AGB is proud to be a contributing partner to such vital work and in strengthening such important collaborations. We are committed to providing counsel, materials, tools, and advocacy on behalf of the greatest higher education system in the world—central to which is its values-based governance model.

The pages that follow provide an overview and some specifics of our recent priorities. We hope you will read them with an eye for how our work can help your board and your institution succeed and thrive in the days ahead.

Sincerely,
The Hon. James E. Geringer, chair, AGB Board of Directors
Richard D. Legon, president, AGB
Launched in July, the Commission examines how well-prepared the governing bodies of higher education institutions and systems are to address the myriad challenges confronting the sector. The Commission will hone in on the issues that define these changes, such as: the business of higher education, board size and structure, institutional finance, shared governance, academic quality, student learning, and public expectations for higher education. The Commission is expected to publish its recommendations in September 2014, consulting widely with stakeholder groups and experts in governance as it works. Philip N. Bredesen, the former governor of Tennessee (2003-11), chairs the Commission, and education policy expert Jane Wellman serves as executive director.

“In the same way there has been a big change in governance in the corporate world, and I think it’s high time and it’s very ripe right now for higher education to do some of that same introspection”

—Governor Philip N. Bredesen, chair of the National Commission on College and University Board Governance, as quoted in USA Today
The Richard T. Ingram Center for Public Trusteeship and Governance

Since its inception in 2000, the mission of the Ingram Center has been to strengthen the relationship between state government and public higher education by enhancing the effectiveness of citizen governance, foundation boards, and their members. To achieve this in 2013, the Ingram Center worked with states across the nation on issues of trustee selection and education. Initiatives included offering two new policy briefs on building public governing board capacity. The first brief focused on suggestions and recommendations for the selection of board members, while the second offered insights into the value and variations of state-level education programs. The Ingram Center helped enact these recommendations in more boardrooms than ever before, including serving as the senior coordinator for the complete restructuring of state-wide governance systems in both Louisiana and Oregon.

Enhanced Programming and Services for the Nation’s Historically Black Colleges and Universities

Historically Black Colleges and Universities (HBCUs) have always been an important part of America’s higher education landscape. In 2013, AGB recommitted to the unique mission of these important institutions, enhancing its offerings that are specific to HBCUs. In March, AGB convened a special meeting of more than 20 presidents, board members, and other leaders from the community for thought-provoking conversations about the vision for HBCUs in 2020 and the governance and leadership needed to achieve it. AGB furthered its commitment in June, welcoming Brandon Daniels as our new director of special programs for HBCUs and small, independent institutions. Since his arrival, Daniels has begun work on many new initiatives for HBCUs and deepened AGB's presence in those policy conversations. Both Daniels and AGB president Richard Legon participated in the September 2013 HBCU Week Conference hosted by the White House Initiative on Historically Black Colleges and Universities.

AGB would also like to thank Rich Novak for his many years of service. Rich retired as senior vice president of programs and research and executive director of the Ingram Center in June.

Follow AGB and join the conversation on the latest HBCU news on Twitter @DanielsAGB
REACHING CAMPUSSES

Statement on Conflict of Interest with Guidelines on Compelling Benefit

In response to requests for policy guidance from presidents, board chairs, board members, and other higher education leaders, in 2009 the AGB board of directors issued AGB’s “Statement on Conflict of Interest.” The statement, drafted after a careful deliberative process guided by a distinguished panel—and with input from presidents, board members, and other higher education leaders—recommended 12 principles to inform board decisions and discussion on conflict of interest. The companion “Guidelines on Compelling Benefit,” issued by the AGB board in 2013, provides specific guidance to boards seeking to implement the earlier statement. The guidelines are intended to help boards, advised in appropriate situations by institutional counsel, to apply the compelling benefit standard—the recommendation that transactions involving conflict of interest should be approved only if the board finds that the transaction would bring compelling benefit to the institution—to a wide range of circumstances in which conflicts may figure.

“Each board must bear ultimate responsibility for the terms and administration of its conflict of interest policy...A board should not confine its conflict of interest policy to financial conflicts, but should instead extend that policy to all kinds of interests.”

—Excerpt from AGB Board of Directors’ “Statement on Conflict of Interest with Guidelines on Compelling Benefit”

Improving Board Oversight of Student Learning

Effective oversight of student learning outcomes and educational quality has become an increasingly important issue for governing boards. It ensures the institution’s fulfillment of its core mission and addresses increased demands from states and the federal government as well as accrediting agencies for transparency and accountability. In 2011, with funding from the Teagle Foundation, AGB launched a two-year project to develop a set of tools and resources for college and university boards to work more effectively with campus leaders and faculty members to monitor the assessment and improvement of student learning and academic quality. As part of this effort, AGB worked closely with an advisory committee and teams from eight diverse institutions to develop the suite of materials offered on this site. We developed a range of resources and sample case reports that can be used at institutions of all types to improve board engagement with these issues.
AGB Advisory Statement on Sexual Misconduct

AGB has long recognized that governing boards are accountable to the mission and heritage of their institutions, while faced with a staggeringly broad scope of issues that impact fiduciary responsibility and institutional integrity. One such issue that has received recent high-profile attention is that of sexual misconduct. In October, AGB developed this advisory statement in conjunction with National Association of College and University Attorneys (NACUA), to provide governing boards with guidance regarding their fiduciary duty and overall responsibility to collaborate with institutional leadership to address issues related to sexual misconduct. As they do with other issues related to campus culture, governing boards have a duty to become and remain informed about sexual misconduct on campus, and to satisfy themselves that administrators are addressing the issue in a way that protects their institutions, and their students, staff, and faculty members.

Some question board members should consider:

• Has the board reviewed the institution's policies regarding sexual misconduct and discussed their implementation by appropriate administrators?
• Has the board discussed how issues of sexual misconduct relate to the overall institutional climate?
• Has the board received sufficient information and data, such that it feels it can make inquiries and have informed discussions with appropriate administrators regarding the culture on campus as it relates to sexual misconduct?
The partnership between the board and the president has always been paramount to the success of institutional governance and with it the success of the institution. In 2013, AGB expanded its services to presidents with the hope of strengthening these partnerships. To communicate more directly on board issues, AGB launched a new electronic newsletter called “Presidents and Governance.” With a quarterly distribution, “Presidents and Governance” features stories written by sitting presidents as well as excerpts from AGB Press’s best-selling publications. To continue these informal conversations, AGB has also launched a private LinkedIn group for presidents and chancellors, where members can discuss issues of the day, ask questions, and benefit from a network of peers. Finally, to continue these conversations in person as well, AGB hosts a number of small gatherings for presidents each year, including presidential dinners before regional meetings and the presidential breakfast at the National Conference on Trusteeship. AGB, in conjunction with AGB Search, has also begun planning for a new program to launch in 2014. Exclusive to presidents, the Presidential Initiative offers an integrated set of activities aimed at strengthening presidential leadership through successful governance.

Social Media

The growth of AGB’s reach in 2013 was perhaps felt most acutely in its social media efforts. With encouragement from the AGB Board of Directors, the association expanded this presence substantially, including a recommitment of our activities on Facebook and YouTube, the addition of eight new Twitter personas, a revitalizing of our LinkedIn page with two private groups—one for board chairs, the other for presidents and chancellors—and the launch of The AGB Blog. Through these platforms and others, AGB is taking part in higher education conversations as they happen and driving the debate on important governance issues. They also have allowed AGB to reach audiences within the larger higher education community previously unavailable to us, furthering AGB’s reach and impact.
Research

AGB’s commitment to original research has always been strong, and 2013 was no different. In the spring, AGB conducted the 2013 Survey on Technology and Instruction: Taking the Board to School on Educational Technology. With data from board members and senior administrators, the survey and its accompanying report—the first report done entirely as infographics—consider the rate of change in technology and its effect on the core of academic institutions: how faculty teach and students learn. In the fall, AGB expanded its surveying capabilities and launched the Quick Governance Surveys. Aiming to capture member and nonmember views about hot-button higher education issues and governance practices and policies through a series of short surveys and polls, Quick Governance Surveys are available on AGB’s blog. We believe they provide members, the news media, and policy makers with information about the practices and views of the nation’s board members writ large.

Meetings and Programs

2013 saw our highest-ever participation in meetings and webinars. More than 2,600 individuals took part in our regional meetings, board development workshop series, institutes, and webinars as well as our marquee events, the Foundation Leadership Forum and the National Conference on Trusteeship. Highlights from the year include keynote addresses from Sam Donaldson at the Foundation Leadership Forum and from Robert Reich and Roger Ferguson at the National Conference on Trusteeship. AGB also expanded its programming to board professionals in 2013 with its second annual professional development conference and webinars and phone-ins aimed at these important individuals.

AGB Quick Governance Surveys are a new effort to extend the association’s existing research by checking the pulse of the membership on important issues through quick surveys or polls.
New Publications from AGB Press

Reporting on trends, issues, and practices in higher education, AGB Press publications help board members and institutional leaders better understand their complementary roles and strengthen board performance. 2013 saw the publication of 11 new books, including the launch of a new series with What Board Members Need to Know about Faculty. Other top sellers for the year included Risk Management: An Accountability Guide for University and College Boards; A Complete Guide to Presidential Search for Universities and Colleges; Top 10 Strategic Issues for Boards 2013-2014; Top Public Policy Issues for Higher Education in 2013-2014; and The Board’s Role in Fundraising. AGB Press also issued three new titles in the Effective Committee Series, including The Compensation Committee, The Finance Committee, and The Governance Committee (Independent Institutions).

“By definition, the forces of tradition and change often contend with each other. Nonetheless, the very point where these forces meet is where the hard work of governing colleges and universities needs to begin.”

—from Top 10 Strategic Issues for Boards 2013-2014
AGB would like to acknowledge the generous support of our supporters, sponsors, and donors in 2013:

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Helen Aguirre Ferré  
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The Teagle Foundation  
TIAA-CREF Institute  
United Educators  
Vanguard
For the fiscal year ending June 30, 2013, general operating revenues (including transfer from the Quasi-Endowment Fund and net assets released from grant restrictions of $273,848) totaled $10,414,309. Dues from member boards provided approximately 51-percent of AGB’s general operating revenues prior to the release of assets from grant restrictions. Dues accounted for 46-percent of revenues from all sources, which included new grant revenues of $125,000 in support of special programs.

As of June 30, 2013, net assets were $10,346,743, compared with $9,160,832 on June 30, 2012. Total assets were $16,875,433 (including reserves of $6,942,891 at fair market value), compared with total assets of $14,589,755 on June 30, 2012.

Statement of Activities—For the year ending June 30, 2013

<table>
<thead>
<tr>
<th>Revenue, Gains, and Other Support</th>
<th>Operating Fund</th>
<th>Other Unrestricted</th>
<th>Temporarily Restricted</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>Membership dues</td>
<td>$ 5,134,043</td>
<td></td>
<td></td>
<td>$ 5,134,043</td>
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<tr>
<td>Conference/Workshops; Board Education Consulting Services; Benchmarking services</td>
<td>2,820,025</td>
<td>2,820,025</td>
<td></td>
<td></td>
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<tr>
<td>Publication sales</td>
<td>403,572</td>
<td>403,572</td>
<td></td>
<td></td>
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<tr>
<td>Grants and gifts</td>
<td>992,765</td>
<td>$125,000</td>
<td>1,117,765</td>
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<tr>
<td>Contributed services</td>
<td>60,500</td>
<td>60,500</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Center services &amp; other income</td>
<td>297,832</td>
<td></td>
<td>231,141</td>
<td></td>
</tr>
<tr>
<td>Investment income (realized &amp; unrealized)</td>
<td>187,224</td>
<td>838,721</td>
<td>36</td>
<td>1,025,981</td>
</tr>
<tr>
<td>Total revenues</td>
<td>$ 9,835,461</td>
<td>$ 838,721</td>
<td>$ 185,536</td>
<td>9,653,759</td>
</tr>
<tr>
<td>Transfer from Quasi Endowment Fund</td>
<td>305,000</td>
<td>305,000</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Net assets released from restrictions</td>
<td>273,848</td>
<td>(273,848)</td>
<td>0</td>
<td></td>
</tr>
<tr>
<td>Total revenue, gains, and other support</td>
<td>$10,414,309</td>
<td>$ 838,721</td>
<td>$(88,312)</td>
<td>$11,164,718</td>
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Expenses

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<th>Program services</th>
<th>Operating Fund</th>
<th>Other Unrestricted</th>
<th>Temporarily Restricted</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Meetings, Board Education Consulting and Benchmarking Services</td>
<td>$ 3,353,154</td>
<td>$ 70,703</td>
<td></td>
<td>$ 3,423,857</td>
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<tr>
<td>Publications</td>
<td>1,351,564</td>
<td>21,691</td>
<td>1,373,255</td>
<td></td>
</tr>
<tr>
<td>Grant Programs</td>
<td>213,348</td>
<td></td>
<td>213,348</td>
<td></td>
</tr>
<tr>
<td>Richard T. Ingram Center</td>
<td>361,876</td>
<td>5,205</td>
<td>339,065</td>
<td></td>
</tr>
<tr>
<td>Other unrestricted programs</td>
<td>-</td>
<td>70,423</td>
<td>367,081</td>
<td></td>
</tr>
<tr>
<td>Total Program services</td>
<td>$ 5,279,942</td>
<td>$ 503,917</td>
<td>0</td>
<td>$ 5,783,859</td>
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</table>

<table>
<thead>
<tr>
<th>Supporting services</th>
<th>Operating Fund</th>
<th>Other Unrestricted</th>
<th>Temporarily Restricted</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Management and General</td>
<td>$ 2,707,398</td>
<td>$ 27,764</td>
<td></td>
<td>$ 2,735,162</td>
</tr>
<tr>
<td>Membership Development</td>
<td>565,613</td>
<td>11,279</td>
<td>576,892</td>
<td></td>
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<tr>
<td>Fundraising</td>
<td>438,371</td>
<td>10,412</td>
<td>448,783</td>
<td></td>
</tr>
<tr>
<td>Marketing</td>
<td>123,906</td>
<td>5,205</td>
<td>129,111</td>
<td></td>
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<tr>
<td>Total Supporting services</td>
<td>$ 3,835,288</td>
<td>$ 54,660</td>
<td>0</td>
<td>$ 3,889,948</td>
</tr>
</tbody>
</table>

| Total expenses       | 8,621,309      | 246,818            | 0                     | 8,868,127 |
| Transfer from Quasi Endowment Fund | 305,000 | 305,000 |
| Total expenses and allocations | $ 9,115,230 | $ 863,577 | 0 | $ 9,978,807 |

<table>
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<tr>
<th>Changes in net assets</th>
<th>Operating Fund</th>
<th>Other Unrestricted</th>
<th>Temporarily Restricted</th>
<th>TOTAL</th>
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<tbody>
<tr>
<td>Transfers</td>
<td>(417,780)</td>
<td>387,780</td>
<td>30,000</td>
<td>0</td>
</tr>
<tr>
<td>Net assets, beginning of year</td>
<td>863,632</td>
<td>7,478,532</td>
<td>818,668</td>
<td>9,160,832</td>
</tr>
<tr>
<td>Net assets, end of year</td>
<td>$ 1,744,931</td>
<td>$ 7,841,456</td>
<td>$ 760,356</td>
<td>$10,346,743</td>
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</tbody>
</table>

A summary of accounting policies and notes to these financial statements are a part of the independent auditors’ report. A copy of the printed financial statements will be provided on request.
GOVERNANCE & MEMBERSHIP

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Chair
Honorable Jim Geringer
Western Governors University

Vice Chair
Yvonne R. Jackson
Simmons College

Vice Chair
Clifford M. Kendall
University System of Maryland Foundation
University of Maryland College Park Foundation
Wesley Theological Seminary

Secretary
David W. Miles
Drake University

Individual Members by Role

<table>
<thead>
<tr>
<th>Individual Role</th>
<th>Affiliated Foundation</th>
<th>Private Institution</th>
<th>Public Institution</th>
<th>Totals</th>
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<tbody>
<tr>
<td>Board Chair</td>
<td>178</td>
<td>740</td>
<td>276</td>
<td>1,194</td>
</tr>
<tr>
<td>Board Professional</td>
<td>210</td>
<td>919</td>
<td>375</td>
<td>1,504</td>
</tr>
<tr>
<td>CEO, President &amp; Chancellor</td>
<td>233</td>
<td>789</td>
<td>431</td>
<td>1,453</td>
</tr>
<tr>
<td>Senior Administrators</td>
<td>248</td>
<td>2,643</td>
<td>826</td>
<td>3,717</td>
</tr>
<tr>
<td>Trustees &amp; Regents</td>
<td>4,108</td>
<td>20,109</td>
<td>3,048</td>
<td>27,265</td>
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<tr>
<td>Total</td>
<td>4,977</td>
<td>25,200</td>
<td>4,956</td>
<td>35,133</td>
</tr>
</tbody>
</table>

Members of the National Commission on College and University Board Governance

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Honorable Philip Brodesen
Robert Achtenberg
Gloria Aparicio Blackwell
Molly Corbett Broad
Patrick Callan
John Calsteen, III
Kent John Chabotar
Richard Chaït
Mary Graham Davis
José Fernández
Honorable Jim Geringer, ex officio
William E. (Brit) Kirwan
Richard D. Legon, ex officio
Albert Maury
Charles Miller
Scott Patterson
Martin Payson
Russell Ramsey
John W. Rogers, Jr.
Gary Rhodeas
Ann Daley Ryherd
Alex Shumate
Jeffrey Sonnenfeld
James Stern
William Trueheart
Georgia Yuan

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Hofstra University

Vice Chair
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Case Western Reserve University

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Gettysburg College, former board chair

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James C. Stalker
Carnegie Mellon University

Jeffrey B. Trammell
College of William and Mary

William E. Trueheart
Johnson and Wales University

James M. Weaver
University of Wisconsin System (new in 2013)

Individual Role Affiliated Foundation Private Institution Public Institution Totals

Board Chair 178 740 276 1,194
Board Professional 210 919 375 1,504
CEO, President & Chancellor 233 789 431 1,453
Senior Administrators 248 2,643 826 3,717
Trustees & Regents 4,108 20,109 3,048 27,265
Total 4,977 25,200 4,956 35,133

Member Boards by Type of Institutions

- Affiliated Foundation—172
- Association—3
- Private Institution—797
- Proprietary Institution—23
- Public Institution—291

Total 1286