

February 19, 2018

Senator Mark Norris
Tennessee General Assembly
425 5th Avenue North
Suite 702 Cordell Hull Bldg.
Nashville, TN 37243
Email: sen.mark.norris@capitol.tn.gov

Representative David Hawk
Tennessee General Assembly
425 5th Avenue North
Suite 644 Cordell Hull Bldg.
Nashville, TN 37243
Email: rep.david.hawk@capitol.tn.gov

1133 20th Street, N.W., Suite 300
Washington, D.C. 20036
P 202.296.8400 F 202.223.7053

CHAIR
David W. Miles
Drake University

VICE CHAIR
Joyce M. Roché
Dillard University

VICE CHAIR
Charles A. Shorter
City University of New York

SECRETARY
Angel L. Mendez
Lafayette College

PRESIDENT
Richard D. Legon

Karen W. Bearden
Kentucky State University

Eric P. Blackhurst
Alma College

Nelson A. Carbonell
George Washington University

Shauna R. Diggs
University of Michigan

Kathleen A. Dore
University of Iowa Foundation

Juliet V. Garcia
Public Member

Eleanor V. Home
The College of New Jersey

Mary K. Hughes
University of Alaska System
Willamette University, life trustee emerita

Jeffrey L. Humber Jr.
Gallaudet University

Leo M. Lambert
Public Member

Monroe Miller
Johnson C. Smith University

Beverly J. Seay
University of Central Florida

Verne O. Sedlacek
Valparaiso University

William E. Trueheart
Johnson & Wales University

Horacio A. Valeiras
Virginia Polytechnic Institute

Diane Yu
Oberlin College

Senator Norris and Representative Hawk:

On behalf of the Association of Governing Boards of Universities and Colleges (AGB), I respectfully submit this letter in support of the UT FOCUS ACT.

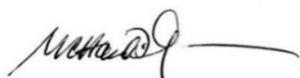
AGB is the premier organization centered on governance in higher education, and has a long history of providing leadership and counsel to boards, chief executives, organizational staff, policy makers, and other key industry leaders to help them navigate the changing education landscape. Our association is a membership organization that serves over 1,300 public and private higher education institutions and 36,000 individual board members, presidents, and senior administrators. The University of Tennessee is a member. For almost 100 years, AGB has advanced the practice of citizen trusteeship that distinguishes American higher education. AGB hopes to enhance institutional oversight and to stimulate cooperation with public-policy makers, government agencies, and private organizations that have a stake in the quality and effective governance of colleges and universities.

The UT FOCUS Act aligns with [institutional governance practices](#) and the [composition of public higher education governing boards](#):

- *Board size:* AGB supports reducing the size of the UT board from 27 to 11 members. It would align UT's board with that of other public higher education governing boards, of which the average size is 11.9 members.
- *Types of Representation on Boards:* It is AGB's view that faculty, staff, and students ordinarily should not serve as voting members of their own institution's governing board because such involvement runs counter to the principle of independence of judgment required of board members. In the case of faculty or staff, board membership can create a conflict of interest with their employment status. Even when constituent groups are represented on the board, the board should be mindful that the presence of one or more students, faculty, or staff as members of the board or its committees neither constitutes nor substitutes for communication and consultation with these constituent groups. In the case of UT, the creation of advisory boards will allow for input from faculty, staff, and students before policy decisions are made by the board. Also, adding faculty and students to some board committees is a worthwhile practice. On average, 44.9% of public higher education governing boards include student voting members, 10.9% include faculty voting members, and 4.9% include staff voting members.

The reforms that you are debating will have a lasting impact. If you or members of your committees would like to discuss these matters, I can be reached by phone or email at 202-776-0812 or RLegon@agb.org.

Best regards,



Richard D. Legon
President, AGB