

TABLE OF CONTENTS

Governance and Accountability

The Report of the Independent Study Group on University Governance

Preface	1
Acknowledgements	2
Foreword	3

INTRODUCTION

Preamble	4
The corporate management model	5
The faculty association and governance	7
Shared governance: the senate	9
Structure of the report	9

PART A: GOVERNANCE: THE INTERNAL STRUCTURE OF THE UNIVERSITY

The Senate

Foreword	12
The problems and the challenges	12
The senate as rubber stamp	12
Senates and the budget	13
Faculty unions and academic self-government	15
Representation on the university senate	18
Will self-government produce misogyny?	19
Isn't it all too cumbersome?	21
The speaker and the senate executive	23
The senate and management committee	24
The senate as court of appeal	24
Recommendations	25

The Board of Governors

General impressions	28
The functions of the board of governors	29
The constitution of the board	34
Recommendations	37

Academic Administration

The style of administration	39
The presidency	43
Choosing the senior administration	44
Do senior administrators have tenure?	46
Deans and faculty councils	47
Chief librarians and library councils	49
Chairs of departments	49
Recommendations	50

PART B: ACCOUNTABILITY

Foreword	53
<u>Governments and Accountability</u>	
System-wide decisions	54
Co-ordinating bodies and tiering	55
Value-for-money auditing	56
Performance indicators	58
Governments and financing	59
Governments and university autonomy	60
Recommendations	62
<u>Universities and Accountability</u>	
Openness in the university	63
Conflict of interest	65
Recommendations	66
<u>A National System of Accreditation</u>	
The reasons for a system of accreditation	67
Accrediting in the United States, academic auditing in the United Kingdom and the OCGS (Ontario)	70
The structure of a national accrediting system in Canada	73
Financing of a national accrediting system	74
Conclusion	75
Recommendations	76
<u>Accountability for teaching</u>	
Teaching versus research	77
Evaluation of teaching	78
Centres for teaching excellence and teaching awards	79
Output measure programs	80
Recommendations	80
<u>Accountability for research</u>	
Safety in research	81
Fraud and misconduct in research	82
Research for whom?	83
Recommendations	83
CONCLUSION: Saskatoon revisited	84
APPENDICES	
A: Conflict of interest	87
B: Fraud and misconduct	92
C: Assessment in the United Kingdom	94
D: Institutional accreditation in the United States	98
E: Liaison group and observers	101

PREFACE

The Canadian Association of University Teachers (CAUT) commissioned the Independent Study Group on University Governance (ISGUG) in October 1990. The current members of that Group who authored this report are Ernst Benjamin (General Secretary of the American Association of University Professors - AAUP), Ken McGovern (Professor, Department of Philosophy, Campion College, University of Regina) and Guy Bourgeault (Professor, Department of Education Sciences, University of Montreal).

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Professor Benjamin has been General Secretary of the American Association of University Professors since 1984. He holds a Ph.D. in political science from the University of Chicago. He taught at Wayne State University from 1965 to 1984 where he was chief negotiator and president of the AAUP chapter and, subsequently, served as Director of the Weekend College and Interim Dean of Lifelong Learning. His national AAUP activities included chair of the Collective Bargaining Congress, membership on the National Council and Executive Committee, and chair of the Council Committee on Affirmative Action. He is a member of the Washington Higher Education Secretariat where he co-chaired the Pension Issues Committee and chaired the Committee on Minority Participation in Postsecondary Education. He has published recently on democracy in the university, the faculty contribution to economic competitiveness, curricular reform, collective bargaining, and the implications of the fiscal crisis for higher education.

Professor McGovern is currently professor of philosophy at Campion College, University of Regina. He served as a member of the University task force that presented a major report on the academic directions of that university. He is presently the chair of the department of Philosophy and Classics at the University of Regina and is chairing a long-range planning commission for Campion College, a Jesuit liberal arts college federated with that university. He is also a past president of the Canadian Association of University Teachers.

ACKNOWLEDGEMENTS

The final report of the Independent Study Group was written on the basis of consultations with a wide range of involved participants over two years. These included groups both inside and outside the university community. We are grateful for the time and trouble so many people took to respond to the issues which we raised.

We also wish to thank the Secretary of State of Canada for its support with the translation of this report and for financing a session at the Learned Societies.

In addition, we extend our thanks to the CAUT staff who assisted with the arrangement of meetings, the handling of our communications, documentation and production of reports, especially Donald Savage, Robert Moore and Lynn Braun. Moreover, this report could not have been possible without the initiative of the CAUT itself and assistance of the Executive. To conclude, we sincerely appreciate the work done by our former colleagues in the Group, namely Naomi Griffiths and Liora Salter. We also want to thank the members of the Liaison Group, representatives at CAUT Council and others who attended our various meetings and provided us with numerous insights. None are responsible for the results of this report for which the authors bear sole responsibility.

We commenced with an issues paper. We then had discussion on particular topics. Last fall we issued an interim draft report and invited both oral and written comments. We then revised the report in the light of these comments, and we are pleased to present it to the governing Council of the CAUT. We hope that it will provoke discussion and put the issue of governance and accountability on the agenda of the university community.

Ernst Benjamin
Guy Bourgeault
Ken McGovern

January 1993

FOREWORD

We have used generic names for various councils and offices of the university throughout. We are sensitive to the rich diversity of titles developed by Canadian universities in both English and French, but it was impractical to mention the variations each time we used one of the words. In any event we would have probably missed some. Thus we talk about senates throughout. By this we mean the senior academic body of the university. We are aware that these bodies are called general faculties councils in Alberta and Saskatchewan and that in these provinces the senate is a different creature, namely a liaison body with the community. We also talk of presidents (when some in eastern Canada are principals and vice-chancellors or rectors), vice-presidents academic (when some are called provosts), vice-president administrative (when a variety of titles are used), and the like. We hope everyone will bear with us in this regard.

Similar problems arise in French. The report was written in English and is being translated into French thanks to the generosity of the Secretary of State. French terminology poses another set of difficulties, and we are aware that there are different structures and different terminologies at the Université du Québec, particularly at the faculty and department level, than in other universities in Quebec or in the rest of Canada.

We are also aware that universities vary enormously in size and that our recommendations will have to be considered with that in mind. We could not incorporate this caveat throughout, but we have from time to time made suggestions specifically for smaller universities.

1. INTRODUCTION

1.1 Preamble:

It has been 25 years since Commissioners Duff and Berdahl presented their report on University Government to the Canadian academic community. In the introductory section of that report, which was commissioned jointly by CAUT and AUCC, the authors indicated that they had been specifically mandated to address

the charges that one so often hears today, that universities are becoming so large, so complex, and so dependent upon public funds that scholars no longer form or even influence their own policy, that a new and rapidly growing class of administrators is assuming control, and that a gulf of misunderstanding and misapprehension is widening between the academic staff and the administrative personnel, with grave damage to both.¹

The report itself was a visionary document in which Canadian universities were characterized as being on the verge of evolving into dynamic and autonomous institutions relatively free from external pressures. To ensure fiscal responsibility as well as social responsiveness, it was presumed that the institutions would operate under the general direction of a board of governors, peopled for the most part by individuals generally supportive of the institution's academic goals, and only minimally involved in academic planning; it was further envisaged that ample support would be forthcoming from governments concerned principally with the public weal whose direct influence on the policies and programs of the university would be buffered by sensible bureaucratic structures.

The central recommendations of the report support the view that decisions bearing on the academic mission of the institution are to be taken on the basis of a shared system of governance, the core of which was to be an elected senate composed almost entirely of members of the faculty. It was to be chaired by the president under whose leadership the faculty and administration would coalesce to legislate in a wise and sensible way for the common good of the institution and in a manner that would be true to the principles of the academy. It was presumed further that the deliberations of the senate would be respectful of the needs and expectations of its public benefactors as articulated by government and those bureaucratic structures whose task it is to render such advice to the university.

The Duff-Berdahl report was written in heady times: universities were expanding rapidly; governments were in a fiscally generous mood; the future seemed very bright indeed.

¹ Sir James Duff and R. O. Berdahl, *University Government in Canada*, University of Toronto Press, 1966, p. 3.

It is difficult to exaggerate the degree to which the recommendations contained within the report influenced the structure of the decision-making process at Canadian universities. Its underlying sentiment, that universities ought to operate in a relatively autonomous way through a system of shared governance, has been adopted until recently as a principle of almost biblical proportions by virtually anyone who has been prompted to comment on the desiderata of university government in Canada.

Yet, now it seems that this is no longer the case. A recent spate of literature on the subject has tended to characterize the idea of shared governance as one that is antithetical to constructive, responsible management;² it has been recommended that a wholesale reconstruction of the decision-making process ought to be undertaken with a view to incorporating within the precincts of the academy management models normally encountered within the corporate sphere. Proponents of this view assure us that the effect of such a restructuring will be twofold: it will lead to a significant increase in the efficiency of the administration of the university; it will, as well, improve both the general level and the forms of accountability to those who fund its operation. At the same time, we repeatedly heard, from faculty members at institutions in which structures for shared decision making had, in fact, been implemented, that the state of affairs envisaged by Professors Duff and Berdahl had not materialized; that while some of the mechanisms of participatory decision-making had been put in place, the participants had found themselves involved in a process that was both frustrating and ineffective.

1.2 The corporate management model

A lot has happened in the past twenty-five years and it might be argued that the conditions under which universities operate today have created structural pressures on these institutions that require an administrative posture that differs markedly from that envisaged by the authors of the 1966 report. Student numbers have increase dramatically over the past two decades; the demography of the student population has changed: there are more part-time, mature students; the number of part-time faculty members has increased; a variety of new administrative and management positions have emerged; a plethora of new disciplines and programs have sprung up at campuses across the country; faculty associations have entered into sophisticated forms of collective bargaining, many of them seeking and obtaining recognition as unions under provincial labour legislation; universities have sought to redefine their mandate through forging connections of an umbilical nature with various interest groups including those representing the commercial and corporate sector; governmental bureaucracies, concerned with the rapidly escalating costs of operating institutions of higher education, have taken steps to introduce measures designed to assess the value of the enterprise in terms of the expenditures required from the public purse.

These changes may be portrayed as reflecting both a growing complexity within the university itself that has fractured many of the structures and traditions of the academy and a need for a redefinition of the relation of the faculty and the senior administration.

In particular, this has led to the view that the perhaps laudable ideal of a measured and deliberative form of shared governance is simply not feasible. At the same time, demands for the implementation of quantifiable

² See, for example, David Cameron, *More Than an Academic Question*; and James Cutt and Rodney Dobell, *Public Purse: Public Purpose. Autonomy and Accountability in the Groves of Academe*, Institute for Research on Public Policy, Halifax and Ottawa, 1992.

measures of accountability, often viewed as essentially antithetical to the traditions of the academy, have further eroded confidence in the collegial process.

It is not surprising, therefore, that some have seen in the corporate community a model of management that universities might profitably seek to appropriate. Do we not find in the private sector a taut, finely tuned and effective structure of administration within which lines of responsibility are clearly demarcated and wherein the authority to make important decisions clearly devolves upon the chief executive officer and the senior administrative personnel? Against the economies of this system, the endless peregrinations that mark out the course of those concerns addressed in the academic decision-making process, as reports travel their tortuous way from committee to committee, can easily be made to appear clumsy and ineffective.

Yet the adoption of an authoritarian management model in order to resolve these and other problems is itself fraught with difficulties. Two of these, which will be discussed in greater detail in a later section of this report,³ are especially important. In the first place, it is not at all clear that centralized, "top-down" management structures even serve the business community well. Indeed, recent studies indicate that decentralized structures, which provide for the possibility of spontaneous initiative at all levels of the enterprise, may well prove desirable, in some large corporations at least, in order to offset the intractability and rigidity of the traditional authoritarian corporate regimen.

Secondly, those who extol the virtues of the corporate model sometimes confuse the need for businesslike, fiscally sound judgment with the "bottom line" mind-set which they believe to be at the heart of sound management practise. This view undoubtedly greatly oversimplifies the real complexities that function within the business community. It certainly grossly distorts the realities that confront the university. For the university must continually seek to be responsive to a bewildering array of demands placed on it in a manner that is cognizant both of the integrity of the academy and the legitimate concerns of the public. The difficulty is that corporate decisions are not predominantly motivated by either of these imperatives; indeed, the assumption very often seems to be that it is precisely in the absence of the confusion that such constraints generate in relation to the bottom line, that the corporate model of decision making derives its simplicity and strength. Such a view of the administration of a corporate interest seems to us overly simplistic; applied to the governance of the university, it is clearly absurd; it is likely that it would produce relatively simplistic solutions that would serve to undermine the institution that they were intended to support.

We conclude, therefore, that the so-called "top down" management model offers no solution to the problems of university government; indeed, as we will later argue, there is evidence that this very model is seriously being re-evaluated within the business community itself. In any event, the translocation of structure can, in our view, only serve to exacerbate existing problems within the university community and, more dangerously, seriously damage the structure of the institution itself.

1.3 The faculty association and governance

One of the major transformations which has taken place within the university community during the past two decades has been the emergence of the local faculty association as an active participant in the academic

³ See below, pp. 39 *et seq.*

decision-making process. This is a development the dimensions of which seems not to have been contemplated in the Duff-Berdahl report where such associations were included among the "other forces inside and outside the universities" and whose concerns were characterized as being principally directed to issues bearing on pay and economic benefits which, important as they may be, were considered peripheral to the central issue. Consequently, the report neither recognized nor assigned any substantive role to the faculty association within the governing processes which its authors envisioned.⁴

In retrospect, this may well appear as a major shortcoming of that report. For faculty associations have become an important voice within the university constituency. And this is so in several respects. The advent of collective bargaining and unionization has served to define and strengthen the legal status of the association, conferring upon it a degree of authority and influence it did not have before. Collective bargaining also improved substantially personnel procedures. By now, these procedures are widely recognized throughout the university community as much more fair and equitable and, as such, they have contributed effectively to the maintenance of stability within the universities in the face of the bewildering complexity of fiscal concerns which they have been forced to address over the past several years. Collective agreements have in addition strengthened collegial procedures by giving them a much more solid legal basis than they had before. Nor have the interests of faculty associations been restricted to a slate of concerns of a principally economic nature which bear on the "conditions of employment" of faculty members. Issues relating to academic freedom, the quality of the instructional process and program review, as well as other matters hitherto generally addressed within the precincts of university senates have been successfully appropriated into the negotiation process.

Faculty associations have also taken the initiative in addressing important social issues. For example, here is little doubt that the procedures elaborated throughout the university community to ensure equity would have never occurred outside of the negotiation process.⁵ And finally, faculty associations have taken a leading role in articulating and promulgating the mission of the university to politicians and civil servants. Indeed, in recent years an important part of the lobbying effort on behalf of the academic community which has been directed toward various levels of government, as well as the granting agencies and other funding bodies, has been carried on by either local faculty associations or by their provincial and national organizations.

The fact that senates have, in varying degrees, failed to realize their potential, together with the recognition that faculty associations have to some extent involved themselves in the academic decision-making process, has prompted the suggestion that the role of the association in the governance of the university be recognized in a more formal way. Many faculty members sincerely believe that faculty associations are both more

⁴ While the report recognizes that the faculty association has become the "main advocate of constitutional reform" within the universities, it remains "essentially a body of protest rather than achievement - for the obvious reason that it has no constitutional standing within the university." See, Duff-Berdahl, p. 61.

⁵ For example, faculty collective agreements from the beginning prohibited discrimination on the basis of sexual orientation - long before this was a politically fashionable issue.

representative of the academic interests of the faculty than is the senate and more effective in representing those interests within the various fora in which the real decisions are made. In some universities this is clearly true.

However, although we recognize the contributions of the faculty association, we do not believe that it is in its best interest or that of the faculty as a whole for it to displace the senate. There are three principal reasons for this. In the first place, the position of the senate within the university decision-making process has the advantage of historical and legislative sanction. Its role within the academy has been recognized in statutes that define the internal structures of universities and which provide for a significant role for the senate in academic planning and validation that has not been part of the mandate of faculty associations. The faculty association, on the other hand, has contractual obligations, very often consequent upon provincial labour legislation, which require it to represent its members precisely as employees of the institution. Secondly, the effect of the increased efficacy of the collective bargaining process has not been, as Duff and Berdahl had feared, to undermine and weaken the senate. On the contrary, it is our view that the rules relating to equity and process which collective bargaining has established have, in reality, strengthened the senate by giving it a sense of focus and responsibility, which had been hitherto quite diffuse, and providing for its conclusions a juridical purchase which has, in the past, often been entirely lacking or ineffective. Thirdly, the faculty association, by virtue of both its mandate and its membership, could not reasonably be expected to supplant the principal functions of the senate without seriously damaging the structural integrity of the institution. And this is not primarily due to considerations that bear on conflict of interest about which perhaps too much had been made. It is rather that the health of the enterprise demands that its important deliberations on academic policy take place within a forum which is perceived as dedicated to the well-being of the entire institution in a manner that is capable of addressing the concerns of all those who have a legitimate interest in its future directions including, along with the faculty, the administration, staff, students and the many publics which the university serves. Similarly, the well-being of the association requires that it not lose sight of its principal rationale, for the undue diffusion of its energies might, as a consequence, weaken its integrity as an advocate of the members of the faculty.⁶

It seems to us, therefore, that the emergence of the faculty association as an active force within the university must indeed be recognized within its deliberative structures. At the same time we believe that the increased concern of local associations with academic governance has increased, rather than decreased, the importance of the senate. We believe that it is important that associations actively strive to protect the role of senate and to encourage faculty fulfilment of their governance responsibilities.

1.4 Shared governance: the senate

At the heart of the Duff-Berdahl report is the view that the essential problem of university government is a structural one. If one presumes, as they certainly did, that faculty members and administrators were generally

⁶ We thus agree in part with the conclusions to which Duff and Berdahl were led regarding the relationship of the faculty association and the senate. However, we do not agree with their view that the "fundamental concerns of staff associations with salary, tenure, and conditions of service are not at all affected by the reforms we propose." (p. 62) Indeed, recent history has shown that they are, in fact, very much affected. Nonetheless, we do maintain the views that the role of the senate is central and indispensable to the governance structure of the university.

endowed with both wisdom and good will, then it was simply a matter of putting the right structures in place.

The central structure was to be the elected senate, a self-determining body which would articulate the mission of the university, determine its programs, and generally oversee its academic operations.

This is important because after more than two years of listening to a plethora of concerns related to university governance, the failure of senates to realize their promise as the seat of this activity has emerged as perhaps as the most dominant theme. While such bodies exist and are nominally charged with heavy academic responsibilities, they are none the less often viewed by faculty and administrators alike as failures. Does this mean that Duff and Berdahl were wrong in some way? Are senates simply poorly conceived bodies that cannot deal effectively with the intricacies of academic decision making? Or are they simply poorly constituted? Or did the authors of the report underestimate the depths of intellectual obstinacy and self-interest that is thought by some to animate the participants within the process?

What exactly is the problem? From the faculty perspective there exists a sense of alienation from those important decisions which are taken and which direct the institution. And this is so in spite of the fact that there exists at their institution an elected senate or other body duly constituted to make such decisions. The faculty are there but they feel both impotent and intimidated; they sometimes feel used and stifled; when they express dissatisfaction with the process they are sometimes told that they made the decision. But in the end they are left with the impression that they did not have a genuine opportunity to influence the course of events. Rather, they have the sense that they have become part of an administrative obstacle which must be circumvented in order that the institution might get on with its proper business. From the standpoint of the university administration, there is the perception that the process simply cannot be made responsive to the real demands that are placed on the decision-making structures of the institution. Matters get bogged down in an endless multiplication of committees; individuals use the consultative processes in a manner that sometimes obstructs the ongoing functioning of the university; in general, there is the perception that the actual effect of the collegial process is to coalesce around established traditions and resist changes and initiatives that are often desirable and sometimes required in the face of the exigencies of the day. In particular, university administrators sometimes see the members of faculty committees as reluctant, and perhaps incompetent, participants in those discussions, which are rife in the university today, which must address issues that arise due to a shortage in operational funding.

1.5 Structure of the report

It is thus clear that the tensions within the academy to which Commissioners Duff and Berdahl alluded in the introduction of their report have in no way diminished in the twenty-five years since its publication. While the issues that tend to arise in discussions on university governance seems innumerable, we have identified two related sets of problems that seem to lie at the heart of the discussion today. The first are those problems that arise in attempting to determine the role of the various groups within the university in its deliberative processes. What are the procedures that should be followed? Who makes the final decisions? What are the responsibilities of the members of the faculty, administrators (department chairpersons, deans, vice-presidents, directors, and of course, the president) the students, the university bureaucracy, other employee groups, and the board of governors? A second set of problems concerns the responsiveness of the academy to its many publics. These issues, often, and perhaps misleadingly, discussed under the rubric of "accountability", attempt to develop measures which ensure those decisions taken at the university harmonize

with the public good and are cognizant of the constraints imposed as a consequence of the economic realities of the times.

The main body of this report will thus be divided into two sections. One part will concern itself with the principal internal university structures, including the senate, the board of governors and the senior administration. It will be argued here that the central recommendation of the Duff-Berdahl report, that an elected senate be the chief academic decision making body at the university, is in fact a sound proposal, but that many of the structural recommendations contained in that report have proven to be based on faulty assumptions. We will, therefore, make several recommendations concerning the structure and operation of senate that significantly depart from those of the earlier report. Canadian universities have generally adopted a bicameral system of governance, with a board of governors charged with the obligation of ensuring the financial integrity of the institution. This is a view which we also generally support, although we believe that lines of communication between these two central bodies must be strengthened. The growth of the senior administration, both in numbers and in importance, is one of the characteristics that marks out the evolution of the academy today. In general, we believe that university presidents and the administrative cadre that surrounds them must resist the temptation to drift into a kind of institutional oligarchy and begin to use their authority, which is quite strong, to establish and sustain a viable system of shared governance.

In the second part, we shall consider those issues that relate to institutional accountability which, on the public agenda, has become one of the dominant themes in discussions concerning university decision-making today. We review the role of governments in the debate on accountability. In this regard we discuss the methods of making system-wide decisions at the provincial level, the merits of co-ordinating bodies and tiering, value-for-money auditing, performance indicators, the accountability of governments for the financial health of the system, and how the role of government can be reconciled with university autonomy. This section deals with the tensions that exist between the university and government, particularly in relation to the issue of accountability. We conclude this section and our general conclusion by calling upon governments to reassert the spirit of the 1987 Saskatoon Conference through the organization of discussions, at the national level, between the various groups with a legitimate stake in the future of university education in Canada. We think this would be a much more constructive approach than much of the recent rhetoric emerging both from members of governments and bureaucracies which is frequently tendentious and seems sometimes designed to draw attention away from significant issues such as underfunding.

We shall argue that one of the most important measures in ensuring true accountability is eliminating the shroud of secrecy that very often attends the university budgetary process and other university decision-making. We believe further that universities must develop policies for dealing with potential conflicts of interest which may arise from time to time. We will also review questions pertaining to the assessment of both research and teaching activities at the university.

After a review of accreditation programs in both England and the United States and of the appraisal system of the Ontario Council on Graduate Studies, we will discuss and recommend the introduction of similar measures at the national level.

We think that the internal self-government recommended in the first part of this report can only be justified if the university is also effectively accountable to the general public. We also think that any new structures must be capable of dealing with new issues, in particular questions of equity and diversity.

There is a tendency for analysis of the universities either to be a one-issue affair or to be a polemic between one part of the university community and another. While recognizing that different groups do have different

interests, we nevertheless believe that the university functions best when all parts of the community (governors, academic staff, administration, students) have clear and effective roles and are empowered to carry them out.

A lot has changed in twenty-five years. We are in the midst of what has been euphemistically referred to as "an economic down turn" and it has become a commonplace to say that universities are under attack. "Down-sizing", "restructuring", "rationalizing", "tiering", are among the various buzz words that intimate the depressing side of academic planning today. Indeed, many have come to believe that the laudable model of university governance espoused by Messrs. Duff and Berdahl is simply unequal to the task in these dismal times. However, we believe that a system of shared governance can evolve that is capable of addressing realistically the needs of the day and responding meaningfully to the genuine concerns of all those within and without the university who seek to influence its future course.

PART A - GOVERNANCE: THE INTERNAL STRUCTURE OF THE UNIVERSITY

2. THE SENATE

2.1 Foreword

The Duff-Berdahl Report called on universities to make the senate the chief deliberative and academic decision making body of the university. We share that view; indeed, it is our contention that, wisely managed and cognizant of the strengths and limitations of a deliberative body, a university senate, more than any other structure we can imagine should be able to meet the needs of the day and not compromise the principles of the academy.

At the same time, we recognize that there has been considerable difficulty in the realization of that vision. In the following section, we shall examine the principal causes that have limited the effectiveness of the senate at many universities and make a number of recommendations intended to mitigate this effect.

2.2 The problems and challenges

The senate as rubber stamp

It was consistently suggested during our hearings that the control of the university had fallen into the hands of an administrative group of senior officials (the president, the vice-presidents, the deans) and that this group, in fact, ran the university without any genuine accountability. Many faculty members expressed the concern that in some places these officials had formed an official management group which effectively displaced the senate, and frequently, the board of governors. It was widely suggested during our hearings that the senate was only retained to give greater verisimilitude to decisions already taken elsewhere. As the administrative cadre of the university has increased, many more officials have claimed seats with voting rights ex officio on the senate, thus reducing the relative power of the elected senators. In many places the president acts as both speaker and leader of government business, thereby raising suspicions that procedural decisions from the chair are motivated more by political ends than by the rules of parliamentary procedure. Administrative control is furthered in some institutions by needless and excessive secrecy. It is not surprising, therefore, that faculty and students have come in many institutions to regard service on the senate and particularly on its committees as a waste of time. This in turns stimulates an unfortunate cynicism about governance in general. It is depressing to report that Duff/Berdahl said many of these things in 1966.

On the other hand, administrators complained that the senate is merely a device for entrenching inertia and privilege. It was said to be too large, too cumbersome and too slow to be an effective part of university governance.⁷ It did not have a sense of the bottom line, and it would not take hard decisions. The best faculty often did not participate, and the student representatives frequently did not show up. The concern was also expressed that it lacked the expertise to make intelligent management decisions, and when it did decide, the

⁷ See for instance, Committee of Vice-Chancellors and Principals, *Report of the Steering Committee for Efficiency Studies in Universities*, United Kingdom, March 1985 (Jarratt Report): "...the potential for Senates to resist change and to exercise a natural conservatism", p.24.

results were sometimes irresponsible. It was, in other words, incompatible with efficiency and proper management. And finally, its deliberations were sometimes viewed as being overdetermined by the agenda of the faculty association or union whose members generally represent a majority on the senate.

Senate reform must take into account these areas of criticism. We believe that the senate can, in fact, be reformed to meet these challenges and to serve the university community well. It is important to recognize that representative bodies such as senates usually behave more responsibly and attract more support when they have significant responsibilities and duties. At the moment many do not, and it is one of the purposes of this report to suggest ways and means of rectifying this. The senate should reflect the expertise of the university community about the functioning of universities in general and the local university in particular. It should be seen by administrators as a source of expert information and ideas.

Senates also need sensible structures. Some senates seem so constructed that it is impossible to imagine effective discourse and legislation. Of course despair about the functioning of representative bodies and cynicism about their relation to the bureaucracy is common far beyond the universities. Universities should not, however, succumb to fashionable nostrums about the death of representative institutions. They should instead apply their intelligence to making them work.

Senates and the budget

Canadian universities traditionally have had a structure whereby the senate dealt with academic matters and the board with finance. However, a division of powers which precludes the senate from an effective deliberation on the budget is now generally recognized as unworkable. It is now clear that senates should be significantly involved in the budgetary process. This would be a major departure from the status quo in many universities. There should be a procedure by which the university budget, with the exception of adjustments in compensation, should be reviewed in depth by a senate budget committee whose recommendations should be discussed and voted on by the full senate. Only in this way will senate decisions be informed and responsible. This may be the single most important step in persuading the university community to take the senate seriously. Without financial influence, the senate is unlikely to realize its potential.

To meet this problem, it is our recommendation that the line budget should be an open document (see below the section on accountability). Budget secrecy is frequently the excuse offered for restricting financial debate in the senate.

The senate should have a standing finance committee. Many now do, but they are usually enjoined to secrecy. It is our view that in this circumstance the faculty and student representatives cannot function in a representative capacity, and they may well come to be seen as extensions of the university bureaucracy. Secret or semi-secret budget committees are generally a waste of time and energy. An open budget would signal an end to this practice. By open budgeting we mean that the senate finance committee should have access to the complete line budget and to the budget officers, not simply to a consolidated financial statement although obviously the committee itself would report out a reasonably detailed consolidated statement for the consideration of the senate.

The finance committee should be elected by the senate, should have a majority of elected senators on it, and should be chaired by an elected senator. The vice-presidents (administration) and (academic) should be ex officio members. In some universities the vice-president (administration) chairs the finance committee. This simply reinforces the popular prejudice that such committees are an extension of the administration.

The Senate finance committee should draw on the senate secretariat for clerical and administrative assistance. It should not depend on the clerical staff of one of the senior administrators.

The university administration should present its budget first to the senate finance committee. That committee should have a fixed number of open hearing days. It should itself select controversial topics for discussion, but it should also leave time, particularly for those who are going to be seriously affected in an adverse fashion to be heard. It should encourage briefs. It should publicize itself and its hearings as effectively and as widely within the university as possible. It should not, however, discuss the salary settlements of the faculty and staff (see below). After the hearings are over, it should, within a fixed time limit, discuss the administration budget and decide whether it wishes to offer any amendments. If the amendments require increased funding, the committee should be obliged to indicate where the money is going to come from in the event that additional funds are not available from the government or other sources. The senate finance committee should also conduct an *ex post facto* review of the previous year's budget performance in connection with the development of the new budget.

The finance committee should then report the administration budget and the committee's suggested amendments, if any, to the senate. Of course the administration may accept some or all of the committee's proposals, in which case a single amended document would go to the senate.

The senate should then debate and vote on the budget. If the senate supports amendments from the finance committee or proposes further amendments of its own, these along with the administration budget should be presented to the board of governors. The budget debate in the board of governors should be open. The ultimate decision on the budget should rest with the board. The point of this exercise is not to weaken the board's responsibility concerning the budget but to ensure that, at the end of the day, it acts on the best information available.

What happens if the senate and the board disagree? A wise board will work hard to try to ensure that this does not happen, but from time to time, it will, and the board must accept the responsibility for the budget decision in this eventuality, understanding that it may well generate serious division in the university.

Some would argue for a senatorial veto, suggesting that it is the threat of provincial trusteeship that ultimately persuades divided boards to agree and that the same threat will have the same effect on the senate. Such a scenario, however, might well feed the opposition of provincial governments who would likely characterize the arrangements as one by which the faculty voted their own salary by refusing to support a budget until their salary demands were met. This charge would be much less valid for a body which, in the final analysis, was recommendatory.

Nevertheless there is a sense in which senate debate of the budget, regardless of the formal powers of that body, could involve debate about the salary bill of the institution and thus about the salaries of everyone who works in it, including the faculty and the administration. An element of conflict of interest thus remains, but we think it can be overcome by appropriate procedures and by the accountability mechanisms we are suggesting in part B of this report.

It is our view that the collective bargaining regime combined with openness precludes most generic conflict of interest over the budget and salaries. The senate should debate the budget within the salary parameters

fixed by the negotiations between the board of governors and the university unions. It should quite explicitly not have authority in this area. Collective bargaining is a bipartite, not tripartite, arrangement. Senates can, of course, express their opinion to the bargaining team of the board of governors or that of the staff, just as any other body can. But that should not be mistaken for being part of that bargaining team or for being a third player at the table. It is clear, of course, that the salary decisions of the board will affect the overall budget discussed by the senate. If these decisions are in place prior to the senate debate, there is no problem. If they are made afterwards and if they increase or decrease the remaining disposable funds, the senate would have to reconsider its budget proposal.

What about financial exigency? Can a senate, dominated by faculty, students and administrators, all of whom may be losers in this scenario, be expected to deal with such situations? There is no inherent reason why not. It would certainly be much more unpleasant than administering a budget in flush times, but if the senate is not prepared to face such difficult issues, there is not much point in having one. The senate can be greatly helped if the faculty association and the administration have already negotiated as part of the collective agreement the procedures to be followed in the case of financial exigency. These would normally set out a procedure for deciding the bona fides of a declaration of financial exigency and the method of lay-off that would subsequently arise if the exigency was found to be real. The senate would, however, have to consider whether or not there were academic re-arrangements that could or should be made to prevent such an exigency, and many collective agreements require the senate, faculty councils and departments to make the necessary academic judgments in such scenarios.

Senates would also be much assisted if they adopted procedures to enable them to effectively address such circumstances. The senate finance committee should hold public hearings. It should make use of outside consultants in order to bring a degree of distance to the debate. It should consider putting before the senate several different scenarios rather than one only since in the circumstance of exigency there is unlikely to be one obvious correct answer.

Finally we reiterate our view that if senates are not given genuine financial responsibility, they will continue to function with only a very limited effectiveness. We believe that lack of financial responsibility is a major reason why the senate has not lived up to the expectations of Duff-Berdahl. We think circumstances have changed since the 1960s, and senates must change with them or become simply anachronisms.

Faculty unions and academic self-government

When faculty collective bargaining came on the scene in the seventies, it was fashionable in some circles to say that it was incompatible with collegial governance. Many important matters pertaining to academic decision-making were, in fact, discussed at the bargaining table in a number of universities, and accommodations were reached which have proved to be enduring.

One of the reasons for this is that collective agreements tended to entrench collegial procedures and give them a legal authority that they did not possess before.

There is little doubt that the advent of formal collective bargaining took place in part because of a growing faculty perception that existing collegial structures afforded them only a superficial involvement in the determination of key academic issues. Collective bargaining, from the faculty perspective, also had the great advantage of being bilateral. The participants in collective bargaining tended to feel that the process involved true collegiality, i.e. the meeting of equals, rather than a form of collective begging. But it is also true that

faculty put energy and initiative into collective bargaining which, if it had not existed, might have been directed towards senate reform.

Some faculty thought that the collective bargaining process would take over from the senate, just as some administrators hoped that it would be restricted to wages and fringe benefits. As it turned out, neither was correct. Collective agreements not only settled economic issues but they also dealt with the processes for appointment, renewal, promotion, merit pay, and the dismissal of faculty. The collective agreement set up the structures, but individuals and committees made academic judgments within these parameters. In this sense the collective agreements strengthened rather than weakened the collegial process. The main difference was that administrators now had to justify decisions on appeal. Contracts also set out definitions of academic freedom and of what constituted non-discrimination and put these matters on a legal basis. They dealt with the rights and responsibilities of faculty members, particularly where such codes of ethics involved the possibility of formal penalties. They set up the procedures by which the university community would handle lay-offs and redundancy but left the academic decisions involved to academics. In these very practical ways negotiators at the bargaining table worked out many of the structures which, on the one hand, differentiated the work of senates and of faculty unions and, on the other, created meaningful ways in which the latter could strengthen the former. It has been a very creative use of the bargaining process.

In most universities where there are faculty unions, this sort of accommodation has taken place, and these matters have ceased to involve much discussion. There remain gray areas, and these will have to be sorted out among the players. If they are determined to make them sources of confrontation, there is little that procedures can do by themselves to limit this. However, such outbreaks are less likely if those concerned recognize and agree on the current reality of the relationship between faculty unions and senates, and spell out what this means on the local campus.

Faculty unions should, nevertheless, recognize that there are practical limits to the scope of bargaining which cannot and should not reach into the academic judgments of the university about curriculum and academic programs except to lay out ground rules for redundancy and exigency and to ensure accountability. Curriculum development should be the provenance of the senate. In the days of expanding budgets, it was perhaps easy for senates to support everyone's plans for the future, particularly when senates were effectively excluded from the budgetary process in the first place.

Now that budgets are tight, these curriculum and planning decisions as well as the budgetary considerations involved are crucial. The proper arena for discussion of these matters is the senate.⁸

But can the faculty as employees both sit on decision-making bodies and be members of a union? Industrial practice in Germany has shown that it is quite practical to have elected workers serve on the management boards of major corporations. Canadian universities with unionized faculty have in fact developed a variant of this involving academic self-government co-existing with faculty unions. As well, a number of Canadian

⁸ Canada does, of course, have one university where, for all practical purposes, there is no senate. That is the Université de Sherbrooke. The resulting vacuum has seen the movement of most effective academic power into the hands of the rector and the board of governors despite the presence of an active faculty union which has not been fearful of going on strike. For example, the rector and the board claimed that they had the right to close departments unilaterally and have exercised that right. Only public outcry from, for example, the Archbishop of Sherbrooke, limited their exercise of these powers.

and American corporations are beginning to understand that this type of co-management is a sensible approach, not a revolutionary one. We should be proud of our innovations in this area, not defensive.

Nevertheless it is still suggested from time to time that faculty members should be excluded from senates and boards because faculty association or union membership represents an inherent conflict of interest. By the same token, of course, it could be suggested that management employees should also be excluded from these bodies because they sit on the other side of the bargaining table and represent employer interests. In fact the rhetoric of exclusion masks a view which suggests that only managers are the disinterested servants of the system. Everybody else represents a special interest. A moment's reflection will, however, recall that the management structure, in fact, has its own self-interest and defends it, frequently with success, whether in the university or elsewhere.

However, the faculty union leadership should realize that there are practical problems in wearing two hats, particularly if the union and the senate disagree on a matter as fundamental as financial exigency. Furthermore unions should not leave themselves open to harassment through technical charges of management domination and thus possible decertification. On the other hand cooperation between the faculty unions or associations and the senate would be enhanced if the presidents of these bodies had ex officio voice but not vote in the senate proceedings. These officers may stand for election in their own right but they should be aware that it may be difficult for them to reconcile their roles as advocates for their particular academic constituency and for the general membership of the faculty association, particularly in difficult financial times, and prudence suggests that they ought not to do it.⁹

We suggest that faculty associations encourage their membership to play a full and active role in the senate nor should the association be inhibited in making suggestions to the senate or criticizing its actions where this seems warranted.

Representation on the university senate

(a) Faculty and staff representation on senate

There was a great range of views expressed to us concerning the composition of the senate. Some saw it as a purely faculty body; others recommended a senate representative of a great variety of constituencies. We believe, with Duff-Berdahl, that elected faculty should predominate in the senate but that other academic interests need to be represented. The expertise and professional qualifications of the faculty, in our view, dictate that they should have a predominant but not exclusive role in academic self-government. The university is largely defined by the work of the faculty in both teaching or research. The faculty share in

⁹ For instance there have been examples where faculty association presidents have participated in and voted on measures in the senate dealing with aspects of budgetary cuts and then found that the union membership had a different view.

university governance rests on a combination of professional competence and a career commitment to university work. Nor is it inappropriate for the senate of a university to have an academic bias, given the nature of the mission involved. As the Duff-Berdahl Report said, representation on the senate should be seen more as a duty than as a right.

This leads us to recommend that the senate should have a substantial majority of elected faculty. The procedures should ensure that academic librarians are eligible to be elected among the faculty representatives.¹⁰

One of the academic groups that generally remains unrepresented in the governance structures of the universities is the part-time complement. In our view, this is a serious problem the dimensions of which are reaching critical proportions. Two things seem obvious: one of the most evident responses to the fiscal pressures of the last several years has been to depend on an increasing number of part-time faculty members to meet the demands of a growing student population at minimum cost; there has also arisen, at most universities, a cadre of committed, qualified university teachers who share few of the benefits of their full-time colleagues and who have little opportunity to participate in the significant mechanisms of academic decision-making. While the economic plight of these people lies outside the scope of this report, we would be remiss if we did not observe that all of the evils attendant upon the increased dependence on part-time employees must present an acute and pressing problem to Canadian universities who, as employers, have sought to be responsive to important principles of equity. In the short term, however, the existence of these part-time academics ought to be recognized and provision made for their representation on the university senate. In the longer term, steps ought to be taken to regularize the appointments of this important group of academics who have become responsible for a significant part of the undergraduate teaching programs in Canada.

It is important that all the constituencies in the university have a direct contact with the senate to ensure that the senate is aware of their concerns and that everyone understands and carries out the academic mission of the university as articulated by the senate. We, therefore, recommend that the presidents of all the unions representing employees in the university should have ex officio voice but not vote on the university senate. We recognize that in larger universities this may increase the size of the senate beyond our recommendation on optimal size, but we consider that the gains outweigh any negative effects. It may be that if the university has a very large number of tiny unions that some grouping arrangement may be necessary or some system of sequential representation over a period of years, but this should be negotiated with the interested parties.

(b) Student representation on the senate

We do not share the view that students are simply clients, too inexperienced to grasp their real needs and lacking in the professional qualifications for sound judgment. They clearly have direct academic experience of the institution and thus have academic interests that need to be represented directly. Since more and more of them are older students with longer careers, they bring with them a variety of experiences to the institution. Most universities have already recognized and provide for elected student representation on the senate. We support such representation.

We recognize that some faculty and administrators have expressed the concern that student senators and committee members are conspicuous by their absence. We believe that one of the reasons for this is, as noted

¹⁰ See Part B. 4.6, The Administration - Chief Librarians and Library Councils, p. 48

above, that students are unlikely to spend time working on councils and committees that have little or no real power.

We also note that the student body has over the past thirty years grown enormously in size and has subdivided into a variety of interest groups which makes participation in university governance difficult but not impossible. We suggest that one solution to this problem would be to strengthen student participation at the departmental and faculty level, where most students function, and to ensure that the structures of student government are effective. We think that all departments and all faculties should have structures for the election of students in their disciplines to their departmental or faculty council. The structures should ensure that both undergraduate and graduate students are represented and, where the numbers warrant, part-time students as well. We know that this exists in some departments and faculties but it certainly does not in all. We see no reason to exclude students from committees, including tenure committees, although they should be in a distinct minority role in the latter, given their lack of professional qualifications. Student representation should vary by committee, depending on the subject matter at hand. Nevertheless we think that the students can and will make useful contributions to the academic discussions of all these bodies. Student senators should, in our view, be elected by and from these constituencies in much the same manner as faculty are elected from particular faculty constituencies.

We also think that for the university to perform properly there must be an effective student government, just as there must be an effective faculty association, and effective organizations and unions to represent all other staff. It is beyond the mandate of this body to examine such questions, including the relationship of the student government to the student services operations of the university except to say that both the administrative head of student services and elected representatives of the professional staff should serve on the senate. We also recommend that the president of the student body have voice but not vote on the senate, in the same manner as the president of the faculty association, unless he or she is elected as a student senator.

Will self-government produce misogyny?

It is certainly possible. Since the majority of faculty are males, they may elect other males to the senate and for other posts who, in turn, may ignore the concerns of women.

We think that universities should be structured so far as possible to eliminate inequality and discrimination. However, we recognize that a study of governance procedures per se does not have within its mandate many of the concerns of women and other defined groups which have to be addressed elsewhere within the university. In other words structures cannot solve everything but, bad structures exacerbate bad situations and good ones can make the situation better. We are also aware that structural inertia can prolong discriminatory patterns. Furthermore we know that there is a view, which we do not share, that more can be achieved for equality by top-down management than by collegial processes.

An illustration of this latter point is the way that many faculty associations preferred not to negotiate certain policies in controversial areas of concern to women such as procedures to deal with sexual harassment. The same was true of some senates. They preferred to leave that difficult subject to presidential decree although with references to the grievance and arbitration procedure of the contract. It is equally true that university administrations in the past ignored the concerns of women for decades and until very recently regularly co-

opted more males to join the virtually all male administrative cadre whenever an administrative post was open. It is, however, not terribly constructive simply to blame each other for the shortcomings of the university but rather to do something about it.

All this means that senates and other collegial bodies will have to respond to the concerns of women and of minorities if they are not to be brushed aside by women and by legislators who will not wait forever for change.

We are, therefore, recommending the creation of a human rights and equity standing committee of the senate to be charged with responsibilities in these areas. It is important that those appointed to this committee have the confidence of the constituencies which will be looking to the committee for leadership. The committee should review and report on the compliance of the university with federal and provincial laws and regulations in this area. It should review progress towards the university's own positive action goals. Such progress should be assessed using accurate and regularly amended institutional records of the appointment and promotion dates, age, qualifications, ranks and salaries of all members of the academic units. It should from time to time review all elements of the university's equality or positive action program. In particular it should ensure that all relevant national and provincial data is gathered by the university and is available to academic units. It should review and comment on items on the senate agenda.

It should also be responsible for ongoing reviews to ensure that there is no discrimination based on prohibited categories in salaries, the process of securing tenure, promotion, the granting of sabbaticals or research grants or in the appointments to senior administrative posts. There should be periodic retrospective reviews to ensure against backsliding. The committee should also work with academic units to ensure that there is a genuine outreach from the university to the community and to the schools to combat stereotyping and to ensure that all qualified secondary school students have a genuinely equal access to all university programs.

Universities might wish to make the human rights and equity committee a combined committee of the senate and the board of governors. If this is done, the senate members of the committee should be mainly elected senators, and the senior equity officer should be a member.

There should be an equality statement or charter adopted by each university.¹¹ This should be developed by the senate and its standing committee on human rights and equity with the advice of those interested and involved.

While recognizing the need for women and minorities to be represented on the senate and elsewhere in the university in significant numbers, we note that at the moment there is a limited pool of such academics to serve in all these posts. This can produce unreasonable pressure on them both to undertake all these various tasks and to maintain a normal academic career. It is important, therefore, that the university recognize service in career review. University service ought to be expected for all faculty. Sometimes, however, faculty are called upon to do substantial extra service. This should be recognized in career evaluation procedures and may sometimes require release time. This can especially be a problem for women and minorities.

¹¹ CAUT, *Policy Statement on Positive Action to Improve the Status of Women in Canadian Universities*, October, 1988.

There should be a division of responsibility between the faculty association and the senate. Collective agreements should guarantee the protection of women and minorities from discrimination and provide an arbitration procedure to deal with allegations of victimization. Faculty associations should negotiate as part of their agreements articles on positive action for women, employment equity, pay equity, and sexual harassment. The merit of putting these in collective agreements is enforceability. However, if the faculty association or other unions do not attempt to negotiate these articles, the senate should adopt its own policies and make recommendations to the board of governors and to the faculty association to facilitate their implementation.

There has evolved recently in most of the larger and middle-sized universities an administrative cadre of ombudspersons, equity officers and sexual harassment officers. We believe that these officers should report regularly to the academic senate and that the senior practising officer among them should have a voting seat on the senate and on the board of governors. They should not only report to the senate and its standing committee on human rights and equity on the compliance of the university with pay and employment equity programs but should, with the support of the senior administration, involve the senate in discussing the ways and means of promoting equal and fair treatment of women and minority groups on the campus. The annual reports of those officers involved in equity concerns should be made both to the senate and to the president. This will ensure that these officers are responsible to the university community as a whole as well as to the administration. If this is not done, there is a danger that they will be seen simply as an extension of administrative power within the university rather than for the important job they have to do.

Isn't it all too cumbersome?

We recognize the impatience of those who want to reform without the time-consuming process of internal debate. This is a dilemma for all democratic and constitutional structures. We are also aware that many decisions, made secretly in the interests of expediency and efficiency, have led to prolonged periods of debilitating internal conflict within the university.

The consequences in terms of time can well be more serious than the time it would have taken to do the process more democratically in the first place. There is, however, no facile solution to these structural difficulties. Senates should not be large and cumbersome. Regrettably this is an observation not unique to our report.

The question is how to do something about it. Senates can only be reduced in size if the university community accepts that they will be representative institutions, and not direct democracies involving a seat for every interest. It seems unlikely that reform will take place unless there is a reform task force that is truly representative of the stakeholders charged to produce recommendations. In this way the proposals may be relatively neutral and thus have some chance of securing support from all the stakeholders. However, reform of the senate is unlikely to take place unless all parties approach it with the idea of sharing power. If faculty and students think the proposals are merely a device to reduce or control their influence, they will oppose them. So too will the administration if they perceive that the faculty and student proposals reduce their role to a predominantly clerical one.

Senates need to think seriously about how they can do business more efficiently. One of the faults of the Duff-Berdahl Report is that it did not pay enough attention to the details and did not build in certain requirements without which the structures will not work. We clearly heard of the need to eliminate much of the web of committees and sub-committees that consume the lives of academics. Do we really need the university parking committee? However, there is frequently a political agenda at work in the creation of such

committees, which is intended to mitigate the sometimes dehumanizing effects of practices that have become institutionalized. If faculty and students believed that administrators were, in fact, genuinely accountable to a university senate, they would be much more willing to let administrators administer within the parameters set out by senate and to answer to that body both for their successes and their mistakes.

We think the university senate, if it is constituted as we suggest, should have a small number of standing committees, should seriously challenge the need for any others, and should avoid the proliferation of sub-committees. Committees should as much as possible ask individuals or departments to undertake a task and report the results without needlessly adding layers of administration and discussion.

In middle to large-size universities, the standing committees might include a long-range planning committee, a finance committee, a curriculum committee, a student affairs committee, a teaching resources committee, a research policy committee, and a human rights and equity committee. Where universities are large enough to have an office of strategic planning, this should work with the long-range planning committee and report to the senate which should decide the priorities for that office. Other committees could be collapsed into the standing committees. For example separate copyright and patents committees could have their work undertaken by the research policy committee. This in turn would mean that the volume of business would be such that the committees would have to leave more of the work to the administration and as well make priorities which would be a useful exercise. Committees should not try to replace the university administration but rather to give guidance and assure performance on academic matters. In addition the senate should devolve purely routine decisions to the standing committees and not clutter up the senate agenda. For example the curriculum committee should be able to approve minor changes that occur every year in the curriculum, with the senate reserving debate for significant matters.

Universities might consider making the long-range planning committee and the human rights and equity committees joint senate/board committees since the work of these two committees should impinge heavily on the agenda of both the senate and the board. If this is done, it is important that the committee membership be equal and that the senate representatives be mainly those holding elected senate seats. Matters pertaining directly to curriculum, teaching and research should remain a senate prerogative.

We also suggest the creation of an independent speaker of the senate (see below) who would be responsible for chairing the meetings and seeing to it that the senate operated efficiently and fairly. This would be his or her only administrative job. We think that this will greatly assist in ensuring that all relevant matters both get on the agenda and get decided.

The speaker and the senate executive

There should be an executive of senate composed of elected senators and senior administrators whose job it is to put before senate the major recommendations for change in the institution and to report to it honestly, fairly and extensively on the operations of the university. One possible model would be a committee composed of the president, the vice-presidents academic and administrative, the senior university equity officer and six elected senators, of whom one should be the chair.

The chairing of the senate by the president, as recommended by Duff-Berdahl, has, however, not been a success. Presidents are frequently too busy. They are rarely chosen for their ability to conduct this kind of process, and they would likely be able to function better within it as the chief administrative officer outside the chair. In addition there is an inherent conflict of interest when the roles of speaker and of chief executive officer are combined, however fair any individual person might be. There should, therefore, be an independent speaker of the senate who would be responsible for fulfilling this role and for ensuring impartiality and fairness in the proceedings. The speaker should be elected by the senate. He or she should serve for a fixed term of three to five years so that the office gains some experience. The speaker should have no other administrative duties. The speaker should only be removable by vote of 75% of the senate and only after a full and fair hearing by the senate.¹²

There should be a secretary to the senate who should be responsible to the speaker and there should be a defined budget for the operations of the office, voted by the senate. The secretary should not work out of the office or report to one of the administrators of the university. It is important that this work be regarded by the university community as being independent. The speaker should chair a small agenda committee composed of the secretary to the senate and one or two elected senators. It should, in consultation with the executive, set the agenda and should publish a timetable, not only of meetings but also of the process by which departments, committees and others can approach the senate to get items on the agenda. The speaker might attend meetings of the senate executive but only for discussion of the agenda. If the speaker were to be a regular participant in the senate executive, he or she could endanger the independence of the office. The senate should adopt formal rules of order of a type that facilitates debate and decision-making rather than paralyzing it.

The speaker and the senate agenda committee should think of ways and means of educating the senators on their rights and responsibilities and of publicizing the work of the senate. This means more than sending out minutes monthly. There need to be summaries published in the administration and student newspapers, use of the internal video network where it exists, and the like. It is particularly important that the work of the budget committee be adequately publicized.

The senate and management committee

¹² In a recent survey of 800 postsecondary institutions in the United States (of whom 402 responded), the Senate was chaired in 67% of the cases by an elected person equivalent to our suggested speaker. The survey included samples from the major research universities as categorized by Carnegie (35% sampled), liberal arts I (54% sampled) and II (35% sampled), comprehensive I and II (35%), and community colleges (15%). 17% were chaired by the president and 11% by the academic vice-president. Where the chair or speaker was elected, the governance body voted in 56% of the cases and the faculty as a whole in 36%. Presidents were more likely to chair in research I and liberal arts colleges than elsewhere. Joseph E. Gilmour Jr. "Participative Governance Bodies in Higher Education: Report of a National Study" in Robert Birnbaum, *Faculty in Governance: The Role of Senates and Joint Committees in Academic Decision Making*, Jossey-Bass, San Francisco, U.S.A. 1991.

In most universities the senior administration meets either *de jure* or *de facto* as a management committee, frequently on a weekly basis. Many faculty and students are concerned that this body, particularly if it is a *de facto* rather than a *de jure* organization, may well be the locus of the real government of the university.

We think that if our recommendations concerning senates, boards and administrators are carried out, the administration will be much more accountable both to the senate and to the board. If this becomes the norm of operations, the university community should become much more comfortable with the structures by which the management functions. The management must obviously be able to meet and carry out the decisions of the senate and the board and deal with the daily operations of the university. There will still be a temptation to transform implementation meetings into policy gatherings. This, however, is better dealt with by sensible procedures rather than paranoia. In this context it might be wise to regularize such management meetings, take minutes and ensure that the management committee is effectively responsible to the senate as well as to the board of governors. In smaller universities it might be sensible to merge the management committee and the executive of senate but not in manner that would eliminate elected senators from this body.

The senate as court of appeal

The senate regulations should normally preclude it from discussion of individual grievance cases where there is a grievance and arbitration procedure negotiated between the various unions and the board of governors or a recognized student appeal mechanism. If no such grievance and arbitration procedure has been negotiated for academic staff or other employees or no student appeal mechanism exists, the senate may perforce have to deal with these issues, but it is clearly better that they be ultimately decided by independent tribunals or arbitrators according to collective agreements or negotiated by-laws. If the senate is forced to take on this task, it should delegate it to a justice committee charged to deal with such grievances according to the principles of due process and natural justice.

RECOMMENDATIONS:

- 1. The senate should remain the chief academic decision-making body of the university. We received no serious challenge to this principle, and in our view it more adequately meets the needs of the Canadian university of the 1990s than any of the other models that we have considered.**
- 2. The debates of the senate should be open.**
- 3. The senate should have a significant role in the choice of senior administrators. (See below the section on administration)**
- 4. The senate should create a senate finance committee whose deliberations should be open. The committee should be chaired by an elected faculty member and the vice-presidents (academic) and (administrative) should be *ex officio* members. It should be served by the clerical secretariat of the senate, not by that of the senior administration.**
- 5. The budget should be first submitted to the senate finance committee. It should publish a summary in the university gazette. Each year the committee should hold public hearings on financial items in the budget which it deems significant and to hear written or oral representations**

from members of the university community, particularly those who will be negatively affected. In order to function properly, this committee needs timely and complete information. It should have a definite timetable and report to the senate on a regular basis. It should report the administration's budget and any amendments it wishes to propose to the senate. It should also conduct an *ex post facto* review of the previous year's budget in connection with the development of the new budget.

6. The administration's budget plus the recommendations of the senate finance committee, with the exception of adjustments in faculty and staff compensation, should be debated and voted in the senate. This is a central recommendation of the report since only in this way will the senators have both power and responsibility. The senate should report out the administration budget and any amendments that it wishes to propose. The board of governors should, however, retain the final authority to adopt the budget. The budget debates of both the senate and the board of governors should be open.
7. The number of administrators with voting rights in the senate should be limited. In a medium to large size university these should normally be: the president of the university, the academic vice-president, the administrative vice-president, the vice-president for student relations, the dean of graduate studies, the chief librarian, and the university's senior equity officer. We think that other administrative officers such as deans should have voice but not vote when matters directly pertaining to their faculty are at issue unless, of course, they are elected by the faculty. This process should also apply to the principals of federated colleges and to the heads of schools that do not fall under specific faculty structures.
8. No senate should be larger than fifty voting members, and this should occur only in the largest institutions. Smaller institutions should have smaller senates. A reasonable composition for a large university would be 30 elected faculty and professional academic librarians, 7 *ex officio* senior administrators, 8 students, two elected representatives of the professional middle management (student services, computer programmers, etc.), a representative from the board of governors, the president of the graduates' association with the presidents of the faculty association, the student association and the unions representing employees on the campus as *ex officio* with voice but not vote. It is not useful to have political appointees or civil servants on the senate nor the representatives of outside professional bodies except perhaps where the university represents only one or two related disciplines such as the Technical University of Nova Scotia.
9. The faculty should be elected by faculty members and students should be elected by students. Constituencies should be devised so that elections essentially take place within faculty structures (i.e. engineering, humanities, social sciences, etc.) with some degree of proportionately and, where there is a graduate school, graduate students should be represented directly. Deans should be entitled to run as faculty senators although we think they would be better advised to use the voice without vote mechanism which we have suggested.
10. There should be a small executive committee of senate composed of elected faculty and senior administrators. A possible model would be a membership composed of the president, the vice-presidents academic and administrative, the senior equity officer of the university, and six elected

senators who are not administrators, of whom one should chair. The purpose of the executive is to lay before the senate all significant recommendations from the administration for change in the academic policy of the university and to report extensively, honestly and fairly about the academic operations of the university. The minutes of the executive committee should be submitted to the senate in a timely fashion. The existence of the senate executive should not preclude the standing committees of the senate from reporting directly to the senate.

11. There should be a speaker of senate, elected by the senate who should have no other administrative post within the university. The speaker should serve for a fixed term of three to five years. It is the aim of this process to elect a person who will be openly dedicated to the process, and to ensuring that all matters are dealt with openly, fairly and correctly. If there is an election and rules committee to oversee elections and to interpret the rules, the speaker should be the chair. This is probably only useful in the larger and more complex institutions. The secretary of the senate should report to the speaker, and the senate should vote a small annual budget for the operation of the office.
12. There should be a small agenda committee except in the smaller institutions where the work should be done by the speaker himself or herself. This committee should be chaired by the speaker of the senate and composed of the secretary to the senate and one or two elected senators. It should be charged with establishing an agenda for senate meetings and also for considering matters of protocol, for example which matters are legitimately in the province of the senate and which really belong to the board of governors or the faculty association. It should also be charged with educating the senate on an annual basis with respect to both its rights and responsibilities. Both the speaker and the agenda committee need to ensure that the work of the senate is adequately publicized.
13. There should be a small number of senate standing committees in addition to the finance committee. These could include a curriculum committee with the vice-president (academic) an *ex officio* member, a long-term planning committee with the vice-presidents (academic) and (administrative) as members, a senate human rights and equity committee with the senior university equity officer a member, a teaching resources committee with the vice-president (academic) as a member, and a student affairs committee with the vice-president (student affairs) a member as well as the finance committee already noted above. All these should be chaired by elected senators. The membership of these committees should be determined by the senate. Standing committees should be small and should drastically curtail the use of sub-committees.
- 14.a) The senate should take an active role in promoting equality and tolerance on the campus. It should adopt a charter setting out the goals and aspirations of the university in this area. It should have a standing committee on human rights and equity. That committee should have a wide mandate as noted in the text above, and should have the confidence of women and minority groups.
- b) The university should recognize that its demands for service can be particularly difficult for the limited number of women and minorities in the university. University service ought to be expected of all faculty. Where individuals are called upon to do extraordinary amounts of such work, this should be recognized in career evaluation procedures and may sometimes require release time.

- c) University equity officers, ombudspersons, legal services, harassment officers and similar professional employees should report, within the confines of client confidentiality, to the senate as well as to the president. Senate should approve the terms of reference of these offices and the general policies under which they operate.
15. We recommend that the presidents of faculty associations have voice but not vote on the senate subject to such rules as the senate may devise unless they are elected in their own right as senators. The same should apply to the president of the student government unless he or she is elected as a student senator. The presidents of the campus unions should have voice but not vote on the senate.
16. The debates of the senate and its standing committees should be open. Votes to close debate should be rare and very precise in terms of subject matter. In particular the line budget of the university, when presented to the senate, should be an open document (see below accountability).
17. The senate should not normally deal with individual grievances of academic staff, students, or administration. Staff grievances should be dealt with by negotiated grievance and arbitration procedures. Student appeal procedures should be debated and voted on by the senate. However, in the absence of such procedures, senates may perforce have to function in these areas. If they do, they should have a justice committee with rules guaranteeing due process and natural justice.
18. We recommend that the significance of the contributions of part-time faculty members be recognized and that provision be made for their representation on the university senate.
19. We recommend that steps be taken to regularize the appointments of part-time faculty members who have made a significant and long-standing contribution to the academic programs of their universities.

3. BOARDS OF GOVERNORS

3.1 General impressions

The board of governors presents something of an enigma. Despite their vast formal responsibility for the mission and operation of the institution, boards generally lack the respect their mandate implies. The board articulates and defends the university mission. It assures the institution's financial integrity. The board has final responsibility for the selection and conduct of the president. It brings public concerns to the attention of the university and university needs to the public. It assists university fund-raising, counsels and oversees university management, assures the integrity of personnel selection and review procedures, hears and responds to the diverse concerns of the university community and ratifies collective agreements and commercial contracts.

Yet most observers seem to view boards as weak and ineffectual. In a fundamental sense the apparent weakness of the board derives from its two basic, almost contradictory, but equally essential, responsibilities. The board must ensure that the university fulfils its obligations to a diverse public which includes both formal government and a vast array of community groups and interests. Yet, at the same time, the board must

equally make certain that the academic integrity of the university is not compromised by partisan or private interests. Consequently, the board may, itself, damage the integrity of the academy either by proceeding too vigorously on behalf of the publics it represents or by failing to act so as to safeguard the university from external intrusion. But the board may also fail to ensure that the university fulfils its public responsibilities if it is inattentive to public authority and community interests or becomes merely captive to the university administration or its internal constituencies.

In practice, the board's efforts to fulfil these conflicting responsibilities often leave the impression with one group that the board has capitulated to the interests of another, even when the board has succeeded in striking a reasonable balance. Such a balance of course is not always attained, or even always attainable. Government and the community generally seek more access and value-added for less money. The members of the academic community, especially the faculty, seek increased resources and assurance of academic standards in both admissions and programs. The board which cannot achieve this seems to the faculty a captive of those political and economic interests best represented in the board's membership, or of an administration lacking in academic integrity, or both. It is difficult to estimate how much of the board's perceived ineffectuality is real and how much reflects the disappointments inherent in its conflicting responsibilities.

The structure of boards also impairs their ability to fulfil their difficult responsibilities. In an effort to satisfy the requirements of representativeness, they are often very large and capable of meeting as a body only infrequently. For this reason, the actual duties of the board tend to be delegated to subcommittees or an executive dominated by the university administration, creating just those conditions that tend to foster the view that the board is, in fact, a largely decorative body that really has very little to do with the ongoing operations of the university. Thus, in spite of the important nature of the mandate given to the board, several reports on university governance have noted the existence of an emerging view expressed by faculty members, senior administrators and even members of boards themselves that the board of governors or trustees at a modern public university may have lost touch with the operational dynamics of the institution.

We share the view that the boards of governors, despite the real difficulties inherent in their responsibilities, have contributed less than they can to university governance. Moreover, as we have indicated in our outline of the boards' responsibilities, we believe that ineffective boards are a serious problem. The failure of boards to assure public accountability will invite political intrusion just as the failure to prevent intrusion will erode academic integrity. The savaging of the universities in the United Kingdom over the past decade is a grim reminder that the failure to establish viable forms of self-government may well serve to invite a similar intrusion in this country. Recent government actions in Saskatchewan and British Columbia must surely be seen as unsettling portends of the future. At the same time, we do recognize the legitimacy of many of the concerns that have been raised. Most of these relate to the function or the constitution of the Board.¹³

3.2 The functions of the board of governors

¹³ Thus the *Report of the Task Force on Post-Secondary Education in Manitoba*, published in 1973, notes that "much of the current dissatisfaction with the boards, particularly at the University of Manitoba, questions their effectiveness and representativeness."

We have already mentioned that those who presume to govern the university must themselves be governed by the need to continually reconcile those imperatives that arise from the need to preserve the fundamental integrity of the academic enterprise with the emerging needs of the people who are, after all is said and done, both its supporters and ultimate benefactors. We believe that, situated as it is at the point of interface between the university and the community at large, the board of governors has an essential role to play in mediating between these imperatives.

Ideally, two important consequences flow from this. The first is that the board provides an essential conduit linking the university to the community. On the side of the community, it facilitates and even generates demands on the institution reflecting the concerns of the public. On the side of the university, it has the capability of providing an effective account on behalf of the university in the face of public scepticism concerning its operations or programs. Given the growing complexity of the university and its increasing reliance on the public purse, this activity is more important than ever before. There is no other structure within the university that is as well situated to undertake this task. While it is true that members of the faculty are, in fact, most often quite responsive to the concerns of the community, they are often perceived as aloof and detached from their concerns. The "ivory tower" syndrome must be acknowledged as one of the ongoing problems of academic life and a well constituted board can do a great deal to mitigate its effects.

Nor can the administrative cadre fulfil this role. That this is so is not readily apparent because while most members of the faculty recognize their limitations in this area, this is not the case with university administrators. Indeed, many of them seem to presume that a modicum of competence in the sphere of university politics is, *ipso facto*, evidence of the presence within them of a privileged insight into those genuine needs both of the university and of the community to be addressed in the future planning process. Yet, this is simply not so. This is not a criticism of the bureaucracy; such bureaucracies are necessary; in spite of the occasional view to the contrary, no university today could function without it. But it does imply that members of the university administration are not in a privileged position with respect to interpreting the genuine needs of the community. It therefore seems clear to us that a properly constituted board, dedicated to the process of providing for a constructive intercourse between the university and the community, is an indispensable part of the structure of the university.

A second consequence of importance that flows from the mediating role of the board relates to the autonomy of the institution. For the board is in a better position than any other university body to ensure that the institution, while remaining responsive to the legitimate needs of its many publics, does not become overly determined by any one of them. Thus a key function of the board is that of buffering the university from the importuning of various interests that seek to circumvent the accepted channels through which the academy arrives at its decisions; more especially, the board, because of its public involvement and the generally prestigious nature of its participants may very well be able to aid in mitigating the desire of the government of the day to take a direct hand in the operation of the academy. The overwhelming importance of the need for the board to defend the autonomy of the university has received general recognition.

In defending the institution from outside interference, the trustee is protecting its integrity and independence. This has been one of the trustee's major responsibilities; and if there were no other reasons for a lay board, it could be justified on this ground alone.¹⁴

While we recognize that the government has a genuine responsibility to make representations to the university in the interest of the common good, there exists a very real concern within the university itself that elected officials or, perhaps worse, members of the government bureaucracy, in an effort to circumvent an apparently entrenched university administration, will attempt to substitute their own wisdom for that of the academy. This, we believe, is a very legitimate concern. We also believe that an effective board of governors can be instrumental in insulating the institution from a direct encroachment on the part of the government into its decision-making processes, thus providing some protection of the essential autonomy of the institution. This is why we oppose the appointment of civil servants or active politicians to the boards of universities.¹⁵

One of the important functions of the board is to ensure that the university takes steps to develop and articulate its mission and, subsequently, make certain that decisions taken by the university administration are consistent with the objectives of the institution. This is essential both to guarantee that the university puts in place processes within its governance structure that raise questions concerning the nature of the institution's mandate and to provide board members with a perspective according to which they might, in a clearer and more compelling way, provide an account which explains to the members of the general community, the aims of the university.

What role, if any, does the board have in the development of academic policy within the university? This is a difficult question. Many, perhaps most, faculty members accept the view, discussed below, that the board is ultimately responsible for the fiscal well-being of the institution and, as such, must have the authority to make the final decision in important budgetary matters. They also acknowledge that one of the principal obligations of the board is to ensure that the institution develops and articulates a sense of its own mission and that its programs are reviewed and modified with a view to its fulfilment. However, at the same time they tend to view any direct involvement of members of the board in the academic decision-making process with suspicion and even hostility.

While this is an attitude that is understandable, we view it as both unfortunate and inconsistent. It is unfortunate because appointees to the board of governors of a university, when they are wisely selected or elected, represent various elements of the most important constituencies of the university and, as such, have a lot to offer within those councils that generate academic policy. It is inconsistent because, as we have already suggested in our consideration of the functions of the senate, it is impossible to demarcate spheres of academic and financial responsibility such that the one can be considered in isolation of the other. We thus conclude that in the same manner that it is reasonable that the senate be provided with an opportunity to

¹⁴ John W. Nason, *The Nature of Trusteeship: The Role and Responsibilities of College and University Boards*, Washington, D.C. 1982, p. 38.

¹⁵ We might perhaps note here recent attempts by the Government of Saskatchewan to influence the directions of the public universities in that province by such appointments.

address budgetary issues, so the board should be entitled to fairly raise questions of an academic nature with the understanding that the ultimate academic decisions rest with the senate.

It is true that the principal statutory obligation of the board is to ensure the fiscal well-being of the institution. However, it is obvious that this can occur only in circumstances in which the board understands that, in setting the budget, they are establishing the academic priorities of the university as well. It is imperative, therefore, that the board understand and approve of the mission and ensure that modifications to the programmatic structure of the institution are in line with it and are developed in accordance with established policies and procedures. According to John Nason, this can best be done by asking the right questions.

How can trustees best meet their responsibility for oversight of the educational program? By constantly asking questions. To what extent is the university living up to its stated mission? Is this new program or department or institute consistent with our long term goals? What old programs are expendable if new ones are to be added? And in a climate of retrenchment, what programs should be cut back, what programs sustained? What kind of student is the institution attracting? What are the chief student complaints? What are the major faculty concerns? How do we compare with similar institutions?¹⁶

While the very asking of these questions may be regarded by some as a major intrusion on the part of the board into the academic concerns of the university, it is clear that the answers that are reached through this process will better enable the members of the board to carry out their functions in a responsible way. This is particularly true in an age in which, because of the magnitude of their budgets, many public institutions are being required to be more explicitly accountable to the public agencies which fund them. At the same time it is essential that the board recognise its limitations in the sphere of academic planning. While the board must be responsible for the general approval of academic programs, it must rely heavily on the advice of the appropriate faculty councils and of the university administration; it must also carefully guard against the temptation of becoming directly involved in particular curriculum matters that are clearly the responsibility of the faculty.

There are several ways in which the involvement of the board in the academic planning process might be facilitated. The most important of these is clear *de jure* representation of the board on the senate. Our view might thus be characterized as a mean between a strict bicameral system of governance, in which the board and the senate function in terms of different responsibilities, using different methodologies in the hands of different people and a unicameral system which collapses the two sets of activities into one. What we are proposing here is an overlapping system in which it is recognized that the essential functions of the board are, in fact, distinct from those of the senate but in which it is also acknowledged that the important roles of neither body can be carried out in isolation from the other. In recognition of this, some of the submissions which we received recommended that adoption of a unicameral system in the belief that the financial implications of academic concerns could thereby be more realistically addressed. This is a system of governance that has, in the main, been rejected by Canadian universities. They have instead assigned the primary academic role to the senate and the financial role to the board. In our view, this is a reasonably sound

¹⁶ Nason, p. 33.

division of labour.¹⁷ It is one which, however, requires a considerable amount of mutual communication and understanding, a state of affairs which does not always exist in the current system. This in turn creates too much dependence on the president at board meetings to represent the concerns of the faculty. It seems then reasonable to us that the presence of one or two board members on the senate would enable them to convey board concerns to that body and, at the same time, better enable them to understand faculty concerns and, generally, improve the quality of academic deliberations in both the board and the senate. We are also suggesting that there be joint senate/board committee on long-range planning and on equity issues.

In addition to this, it seems reasonable that board members be invited, in an informal way, to participate in the meetings of a variety of collegial bodies, including faculties, schools and departments, provided time is available.

The board should meet frequently, at least once a month, in an effort to guarantee that most of the matters falling under its purview are dealt with by the full board. Most of the matters dealt with by the board can and should be considered in a public way. We believe, therefore, that meetings of the board should, for the most part, be open. We recognize that certain matters, including the discussion of faculty and staff contracts and the like will require that the board meet *in camera*. However, the presence of such items on the agenda should not prevent the majority of the meetings of the board from being conducted in an open and public way.

Most discussions of the functions of the board of governors begin by acknowledging that its principal obligation is that of undertaking a responsibility for the financial management of the university. The ultimate decision to approve the expenditure of large sums of money in order to meet the academic requirements established by senate must, it is claimed, rest with the board. Thus the board is charged with the responsibility of approving the final operating budget of the university, ratifying contracts with its employees, and fixing levels of compensation for its administrators. The responsibilities in this area are enormous. Universities must develop and maintain a huge physical plant. They have the responsibility for acquiring and developing vast tracts of land. Operating budgets amounting to hundreds of millions of dollars must be administered and expended in a manner consistent with the stated mission of the institution. In addition, funding reductions together with dramatic pressures resulting from burgeoning enrolment have fractured the traditional budgetary process. Boards must thus be both innovative and vigilant in an effort to reconcile the achievement of the goals of the university with the stark realities of the bottom line. This they must do in a spirit of fairness and openness, in recognition of their obligations to both the traditions of the academy and the concerns of the public.

This is a view of the activities of the board with which we do not in any fundamental way disagree. In thus addressing the financial obligations of the board as the last, rather than the first, of its basic functions, we have not sought to diminish their relative importance but, rather, to underscore the fact that such decisions are not made in a vacuum, but within the context of the university's mission as they understand it. It is important, therefore, that members of the board, through its representation on the senates as well as through direct submissions from the senate or the senate budget committee, become well informed about academic policy and institutional needs. It is only in this way that they will, in the end, come to wise budgetary decisions in the face of a host of pressures.

¹⁷ It should be noted that at the University of Toronto a *de facto* bicameral structure has emerged even though the university officially has a unicameral structure. The Université Laval recently abolished its unicameral structure.

The board also has the responsibility of appointing the president and confirming or approving the appointments of other senior administrators. In the case of the president, the board must be sensitive to the sometimes difficult fact that the office is not merely that of a chief executive officer. The president is invested with significant academic responsibilities as well. At the level of the presidency the institution needs and deserves academic as well as fiscal and political leadership. It is thus imperative that the board, in engaging in searches for candidates to fill this office, establish procedures that provide for an effective representation of the views of senate.¹⁸

In general, boards of governors have a relatively low profile within the Canadian academic community. This is reasonably appropriate considering that they do not, as a rule, have much to deal with the day-to-day operations of the university which they serve. However, at the same time, the fact the board may well seem to disappear between meetings may well add fuel to the view that they are essentially ineffective. It seems appropriate to us, therefore, that boards take some steps to both raise their profile and assert their role. The recent formation of a national body representing the interests of governing boards is a promising move in this direction. The strengthening of this organization should serve not only to increase the political profile of such boards but should also lead to discussions, at the national level, which will help boards to better define their role within individual institutions and assess their effectiveness as governing bodies.

A final word concerning the functions of the board. While this report has taken the view that one of its principal obligations is that of mediating between the two imperatives mentioned above, it is important to bear in mind that the board of governors at a Canadian university is not an intermediate body, like a universities commission, that exists in a manner independently of the institutions which are its central concern. The board is a university body. The well-being of the university is its central concern. It is our view that the well-being of the university cannot be fully achieved if it does not remain open and responsive to legitimate public suasion and if it cannot articulate its mission in a convincing fashion to the community it serves. We believe that those individuals who participate as members of boards of governors are in a unique position to do both of these things.

3.3 The constitution of the board

There is currently a great deal of diversity in the general constitution of boards of governors in Canada. Most institutions provide for seats on the board for representatives of the senate, faculty, student body, alumni as well as the university administration. There are, moreover, several appointments to the board from the community; these are usually made by the provincial government. In church-related institutions there is also provision for the appointment of members to the board by the church. There is, however, no single formula according to which these boards conform. They differ markedly in overall size and appearance.

In a general way we believe that this is quite reasonable given the distinct traditions, unique areas of specialization and wide variations in size of the universities in this country. Nonetheless, it is, we believe, a reasonable supposition that the current constitutions of boards of governors at most universities is the product of an evolutionary process rather than a rational assessment of the requirements of the board in relation to the ongoing affairs of the institution. It is at least possible that many current boards are outmoded and, in some ways, ill equipped to address the issues that challenge the academy in the modern world. We strongly

¹⁸ See our discussion on appointments, pp.44-46

recommend, therefore, that universities undertake a wholesale review of the constitution of their boards with a view to restructuring them in a manner consistent with the functions discussed above.

In anticipation of this review, we draw attention to four areas of concern which need to be addressed. The first of these is the size of the board; the second relates to the need to represent on the board the various constituencies that it represents; the third has to do with the mandate of those individuals on the board who represent constituencies other than the university itself; and the last concerns the identification of potential conflicts of interest that might affect the status of both current board members or candidates being considered for nomination.

The current spread in the size of boards at Canadian public universities is quite large, ranging from as few as twelve to fifty or more. The average size is between thirty and thirty-five people. In our view, this is somewhat too large. We have argued above that if the board is to remain effective, it must meet frequently and address most of the issues that are brought to it at meetings of the entire board. If regular, frequent meetings of the full board do not occur, much of the business will devolve upon sub-committees or will be delegated to the university administration. This can only further reduce the involvement of the board in the actual operations of the institution, adding to the view, which many already hold, that the board exists for mainly decorative purposes anyway. It seems to us reasonable, therefore, to opt for a relatively lean board, within the range of eighteen to thirty members.

We recognize that in most instances, this would involve a substantial down-sizing of the board and that this, in turn, would sacrifice some of its representational nature. Nonetheless, in order to meet the substantial challenges that face the university today, we believe that such a restructuring is required.

As to the composition of the board, it is our view that approximately one-third of the members be made up of representatives of the faculty, student body, and university administration, with the remainder being selected from the community at large, some of these being alumni of the institution. We believe that keeping the number of internal members to one-third will ensure both that the board is well informed about academic matters and is strong enough in external membership to guarantee public accountability. We concur with what seems to be the current practice of electing the faculty, student and alumni members from the constituencies that they represent. As an example we propose a twenty-four member board of governors composed of three faculty members elected by the faculty or by the elected faculty on the senate or on the general faculties' council,¹⁹ two students elected by the students' association, two persons elected by the university support staff, the president of the university and sixteen persons selected from the community at large, four of whom should be elected by and from the alumni association.

One of the challenges facing a small board is that of adequately representing the interests of the diverse groups in the community which is served by the university. We were told, for example, that labour was often

¹⁹ We were surprised to learn that there is still some resistance on the part of some university administrators to the inclusion of faculty members on boards of governors in the interests of keeping the formal lines of demarcation between the senate and the board as clean as possible. We hope that this does not represent the view of the majority of senior administrators in the country. The Duff-Berdahl report recognized the role that faculty members have in articulating the mission of the university to the lay members of the board. We fully concur with their general line of reasoning in this matter and believe that, on the whole, Canadian universities have taken important steps in the past twenty-five years in amending board constitutions to permit faculty participation. See Duff-Berdahl, pp. 21-25.

not adequately represented on boards and that, until recently, little effort had been made to appoint significant numbers of women. This is intensified by the fact that many of the appointees to existing boards come from the business community, a state of affairs that is to some extent explained by the requirement that there be present on the board individuals capable of circumnavigating through the various mine fields involved in university financing. The rapidly growing size and complexity of university operating and capital budgets makes it unlikely that the need for such people will be in any way diminished. These difficulties may well be further exacerbated by the manner in which individuals are appointed to the board. If such persons are appointed by the government of the day, as is very often the case, it seems likely that they will be viewed within the university community as essentially political appointees carrying with them a brief carefully worked out in advance with the minister in charge, which is also very often the case.

It is sometimes suggested that, in order to both meet this difficulty and ensure a representative board, the appointment be based on an electoral process with individuals elected from the various constituencies served by the university. This solution, however, seems unrealistic to us for two reasons. In the first place, because of the relative smallness of the board, it is unlikely that any real agreement could be reached without that process becoming divisive and perhaps acrimonious. As well, future alterations to the constituency structure would be difficult or even impossible. In the second place, the huge sums of public money involved, together with the received view that the enhancement of the university is in the public interest, gives to elected officials the right to ensure that the public trust is upheld. We, therefore, acknowledge the right of the government to appoint some or all of the members to the board who are representative of the community at large. This does not imply that those appointed be political appointees or members of the provincial bureaucracy.²⁰ In view of the need on part of the board to protect institutional autonomy, appointees should not be members of the government or persons subject to civil service discipline. It is our view that such appointments be made on the basis of, and in conformity with, policies and procedures which are designed to ensure that those who make the final decision are firmly committed to the appointment of people who are competent, concerned with the well-being of the university and who, as a group, are as reasonably representative of the diverse nature of the university as is possible, given the size of the board and the continuing need to people it with individuals capable of dealing with the intricacies of university finance and planning. Such procedures have already been introduced in some jurisdictions in the United States. We recommend that provinces consider structures similar to those adopted in Minnesota.²¹ While this does not

²⁰ The recent appointment of two deputy ministers to the boards of the two provincial universities in Saskatchewan is a case in point. Such an action represents a clear abuse of the power of appointment and can only serve, as it has, to undermine public confidence in the institutions as a whole and imperil their very integrity together with that of their officers and faculty. See also, Ron Watts, "Universities and Public Policy" in Cutt and Dobell, p.90, concerning appointment policy in Ontario.

²¹ In 1988 the state legislature in Minnesota passed a Minnesota Statute 137.0245 creating a Regent Candidate Advisory Council "to assist the legislature in determining criteria for, and identifying and recruiting qualified candidates for membership on the board of regents". The Advisory Council, which is itself a reasonably representative body, is charged with the task of producing a slate of candidates who satisfy the conditions of diversity, freedom from conflict of interest as well as other qualifications that make them suitable candidates to oversee the operations of the University of Minnesota. The use of this procedure, which has received some significant support from the Association of Governing Boards of Universities and Colleges, can do much to

guarantee that the board will, at any one time, represent the full diversity of its constituencies, it does make it possible to provide such representation over a period of time.

While it is important that the various members of the board be as representative as possible of the divergent elements within the community, it is equally important to remember that their mandate is to serve the university as a whole and not merely in relation to the issues that emerge as pressing from the quarter that they represent. We have already alluded to this in the general discussion of government appointees. What was said there applies to some extent to other appointees as well. If, for example, a labour leader is appointed to the board, it is expected that person will bring with them an expertise and a point of view reflecting their involvement in the labour movement. Yet such a person should approach meetings of the board with a relatively open mind; if he or she arrives with a brief which is simply endlessly reiterated, meetings can very quickly become depressing and unproductive. While the community which surrounds the university admittedly abounds in richness and diversity, it is essential that the various individuals who seek to influence its future directions, including both those that come from within the university community and those from without, who sit around the table to address those issues of moment that confront the academy, do so in recognition of the fundamental commonality of the general goals of the enterprise. At the same time they must recognize the problem of conflict of interest (See Section B on accountability for a more extended discussion.)

Since small boards of governors cannot possibly represent all the diverse interests of the community, it is necessary to develop other structures and strategies to reach out to those who are interested in or affected by the work of the university. Some already exist. Most universities have graduates' societies. In Saskatchewan and Alberta the senates play a liaison role with the community (and the general faculties' councils are the senior academic bodies). There seems to be mixed views about their effectiveness.

Other universities have direct links with the ethnic organizations in their communities or with chambers of commerce and labour unions. We do not believe that there is only one method of establishing liaison with the community and encourage universities to explore innovative ways of doing this.

RECOMMENDATIONS

- 1. We recommend that boards of governors recognize as a principal responsibility the task of mediating between the university on the one hand and its many publics on the other. It is important, therefore, that the board be peopled by individuals who are prepared to both facilitate the representations of the public to the university and to defend and explain its programs in the public arena. We do not think that civil servants or active politicians should be appointed to such boards.**

ensure that consideration is given to candidates who have a genuine contribution to make to the university.

It should be noted that at the federal level in Canada there has been ongoing discussion of similar structures designed to ensure the nomination of competent and independent judges and of heads of key federal agencies.

2. We recommend that the board acknowledge its responsibility in protecting the autonomy of the university. This implies that the board will exercise its authority in order to prevent various external groups and organizations, including the government, from influencing the directions of the university in a manner which circumvents accepted planning procedures.
3. We recommend that the board ensure that the university develop its policies in accordance with the its mission as it is developed and articulated by those bodies duly authorized to carry out this mandate.
4. In order that the board may participate in the academic decision-making process, we recommend that one or two board members be granted representation on the university senate and that there be joint board/senate committees on long-range planning and on equity and human rights issues.
5. We recommend that the members of the board be invited to participate, in an informal way, in meetings of various academic councils including faculties, schools and departments.
6. We recommend that meetings of the board be open except for certain personnel matters, the discussion of collective bargaining strategy and the negotiation of property or similar financial commitments with the proviso that these latter decisions become public once the financial negotiations are complete.
7. We recommend that the board exercise its authority in budgetary matters in consultation with the senate budget committee. This implies that this central task of the board will be undertaken in such a way that the academic mission of the university will be protected and enhanced.
8. We recommend that the board appoint the president and confirm the appointments of other senior academic administrators on the basis of a process that ensures a significant role for the university senate or, in the case of deans, by other appropriate faculty council. (See recommendations 1-10 in the next section on senior administrators.)
9. We recommend that boards of governors seek ways, especially through their national association, to more effectively establish their presence with the academic community.
10. We recommend that boards of governors undertake a review of their constitutions with a view to restructuring themselves in ways that better enable them to meet the needs of the day.
11. One of the principal aims of such a restructuring should be to constitute a board of a reasonably small size. We recommend, as a model, a twenty-four member board composed of two elected students, three elected members of the faculty, two elected representatives of the university support staff, the president, as well as sixteen persons appointed from the community at least four of whom are alumni of the university.
12. We recommend that the board meet regularly and reasonably frequently. If the board does not hold meetings on at least a monthly basis, it will be difficult for its members to become significantly involved in the development and articulation of its academic mission.

13. **Although the board may properly from time to time delegate its responsibilities for administering the institution, it is our recommendation that the board resist the temptation to delegate its general responsibility of overseeing the operation of the university to sub-committees or to the university administration. We believe that such actions, which are common enough, can greatly weaken the involvement of the board and its members in the university enterprise.**
14. **We recommend that lay members of the board be appointed by the governing authority on the basis of procedures established to ensure the nomination of candidates who are competent, able to represent the various concerns of important segments of the community and who are generally committed to the health and well-being of the institution. In particular we recommend that provincial governments consider structures similar to those adopted in the state of Minnesota for ensuring competent nominations (see text for the details).**
15. **It is important that such appointments be made in full recognition of the need to preserve the autonomy of the government of the university. It is imperative, therefore, that no members of the government, or the government bureaucracy, be appointed to the board.**
16. **We recommend that the board adopt a set of operational principles that clearly identify its mandate in conjunction with the mission of the university. This is an important step in ensuring that the board does not become alienated from institution which it is intended to serve and direct.**
17. **We recommend that the board adopt effective guidelines designed to address potential conflict of interest that may arise in the day-to-day business dealings that members of the board may have with the university.**

4. ACADEMIC ADMINISTRATION

4.1 The style of administration

Some senior administrators believe that little can be achieved because they are hamstrung and handcuffed by endless requirements to consult, to deal with committees, to reconcile unreconcilable interests, and to follow rules imposed by union contracts. They suggest that it is all very well to talk about leadership, but any ideas for improvement they may have simply disappear into the swamp of committees and discussion either never to reappear or to become so attenuated that their ideas are unrecognizable.

On the other hand many of the faculty who testified in our hearings were highly critical of the senior administration. The last decade has been a period of increasing federal and provincial pressure on university budgets. The senior administration can find itself simply in the role of the bearer of bad news and the body which vetoes new and innovative programs because there is no money. We sympathize with administrators who find themselves in this predicament, but there are other factors at work as well which bear on this situation and which affect whether or not the senior administration will be perceived by the faculty and students as effective and fair.

Two of these factors are an uncritical nostalgia for the past and a political/administrative analysis of university administration that is not grounded on reality. David Cameron's recent book, *More Than an Academic Question* is a scholarly lament for the days when the university administration was untrammelled by academic self-government, unions and all the other internal pressures of the university in the 1990s. It is

true that there was a lengthy era of Canadian university governance when many presidents ruled without much check except perhaps from a narrow oligarchy of deans of professional schools and a few members of the board. Professor Cameron, of course, recognizes the down side of this - the trampling on the rights of faculty and other employees. Inevitably it also engendered an attitude of servility and caution that were at odds with the perceived mission of the university to generate new knowledge and to provide criticism of existing social institutions and structures. However, this era passed within a decade of the end of the Second World War, not because of the rise of academic self-government, faculty unions and student power but because universities grew so fast and became such large, expensive and complicated institutions to run. This meant that the paternalistic president who knew everybody and controlled everything simply could not function any more. Even if one thinks of these as admirable regimes, and some were, it is a disservice to Canadian universities to engage in this kind of nostalgia since there is no possibility, as Professor Cameron recognizes, of returning to that style of government in most Canadian universities.²²

Perhaps because the university is attuned to rational analysis, many of its leaders have been reluctant to accept that it, like other large public and private institutions, operates its internal affairs in a political manner in the sense that effective leadership requires the ability to bring diverse groups together to support needed change and development. Political analysis helps us to understand that rationality is frequently in the eye of the beholder. For example, the politician may think that the best run university is the one with the lowest cost per student. The senior administrator may think that the best run university is the one with the most trouble-free administration combined with the most positive public image. One faculty member may think that the best run university is the one which provides maximum research opportunities. Another may think that it is the one which provides the best intellectual atmosphere for its students through excellent libraries and laboratories and high quality and tough instruction. Still another may think that it is the one which most vigorously challenges the accepted opinions of the community. A student may think that the best run university is one where the classes are small, the professors accessible, and the student services are highly professional and available both during the day and in the evening. The support and technical staff may think that the best run university is one that pays them a decent salary, does not exploit them and makes them an integral part of the university community. None of these views are irrational but pushed to their limit they may well become incompatible.

We are all aware of Clark Kerr's famous aphorism that a successful president knows that the faculty want parking, the undergraduates sex and the graduates football. Behind the joke lies a reality, namely that leadership in the modern university must start not only with the understanding that there is amazing diversity in the university but also that this is an asset and that it is the role of the president to encourage diversity and to give leadership so that these various segments can come together. This can only be done through collegial leadership. Such a role is not one of a cipher or a messenger between deans and vice-presidents, but it is one that probes and presses people to come up with good ideas and innovations and uses political skills to make them happen. It is also one that ensures that effective collegial structures are in place and that they are used properly. As Cynthia Hardy points out in *Public Purse, Public Purpose*, neither collegiality nor innovation just happen. It is, for this reason, unfortunate that faculty frequently devalue or are even contemptuous of the political skills that are necessary for these jobs. This is particularly so when such attitudes arise in the search for new senior administrators. It is also an important part of political analysis to realise that everyone

²² See P.W. Waite, Lord of Point Grey, UBC Press, Vancouver, 1987, for a sympathetic account of Larry MacKenzie, the baron who ruled the University of British Columbia immediately after the Second World War. However, Waite does recognize that by the end of his career MacKenzie found himself in a modern era to which he sadly could not adjust.

has a natural self-interest including both the faculty and the university administration. Leadership does not come by ignoring self-interest or pretending that it does not exist but in harnessing it to the collective enterprise.

However, the very rationality on which the university prides itself can lead to a view that there is or should be a single proper management model which, if applied systematically in the universities would produce the results desired by everyone both inside and outside the university. In the interest of efficiency this is often characterized as a pyramid structure with authority vested in the president and his or her entourage. This in turn leads to recommendation for top down management, attacks on collegiality and academic self-government, and a denigration of the faculty and other employees. The partisans of this school of thought insist that universities can only be run by professional managers with relatively complete authority unfettered by committees, councils or unions.²³ It is sometimes suggested that the model should be the large American business corporation.

This view ignores the reality that universities are not business corporations but a public service. They are not devoted to making a profit. Instead, they serve a variety of purposes and any analysis of their efficiency must recognize this. One of the reasons why business analyses of universities or other public sector operations frequently fail is because they in fact ignore this diversity of goals, not all of which are measurable by dollars in any event or attainable by technocratic means. Universities teach undergraduates and graduates both professional disciplines and humane and scientific learning to enable them to be better citizens. They undertake an enormous range of research from the highly theoretical to the applied. They are an important part of the cultural life of the community. They provide extension education. They engage in all sorts of community services. They run residences, sports facilities, book stores, and computer networks. They have pioneered over the past twenty-five years a significant increase in the number of women and native Canadians that participate in higher education. They educate large numbers of foreign students. Some of them are leaders in providing higher education to the disabled. And the list goes on. Many one-issue critics of the university fail to recognize this complexity and the need for the university to do all of its work well. This suggests that managing the enterprise is a complex and sophisticated problem.

In this context current management literature has provoked considerable discussion about the difficulties of top-down management, the virtues of decentralization, the importance of encouraging creativity by giving employees with ideas real authority in the organization, the significance of the culture of the corporation for its success or failure, and the relation of all these to productivity. There has also been a good deal of criticism of the fixation of North American companies to the quarterly balance sheet and their failure to plan for the future or to hold on to and use skilled persons in a sensible way in their operations. For example, it may be cheaper and more expedient in the short-run to replace the latter with part-time employees usually with less experience and dedication even though in the long-run the company may well suffer.

²³ See Cutt and Dobell, *passim*.

One example of current management discussion is Total Quality Management.²⁴ It is, of course, a mistake to link the fate of universities to the latest trendy management enthusiasm.²⁵ Nevertheless some of W. Edwards Deming's fourteen points provide a basis for some serious reflection on the efficacy of management style:

- Cease dependence on inspection to achieve quality...Eliminate the need for inspection on a mass basis to achieve quality in the first place.
- Institute leadership . The aim of leadership should be to help people and machines and gadgets to do a better job....
- Drive out fear, so that everyone may work effectively....
- Break down barriers between departments....
- Eliminate slogans, exhortations, and targets for the work force asking for zero defects and new levels of productivity.
- Eliminate...quotas...Substitute leadership.
- Eliminate management by objective. Eliminate management by numbers, numerical goals. Substitute leadership.
- ...abolishment of the annual or merit rating and of management by objective, management by the numbers."

In this day and age, when the failure of secret and authoritarian management in some parts of the private sector in Canada is plain to see, whether it involves the bankruptcy of Olympia and York and the bad debts of banks therein, the irresponsible loans of the major Canadian banks in South America and in overbuilt commercial real estate, or the corruption surrounding the bankruptcy of Principal Trust in Edmonton, it is curious to see some Canadian administrators and critics urging this style of operation as the solution for better management in Canadian universities.

²⁴ For a discussion of TQM in the university setting, see *Bulletin of the American Association for Higher Education*, vol.44, no.3, November 1991. It would appear that in the United States that TQM ideas have been most successfully applied to the administrative side of the university. It should be born in mind that one of the initial impulses of TQM was to persuade North American business that quality was important.

²⁵ One of the reasons for prudence can be seen in the article on TQM in the *Chronicle of Higher Education*, 12 August 1992. Although many of the protagonists of TQM suggest that two of the primary goals are customer satisfaction and high quality, the *Chronicle* chose as its sub-headline: "Colleges Embrace 'Total Quality Management' to Deal with Soaring Costs".

The same phenomenon is to be found in the United Kingdom where the leaders of British business, the least effective and least competitive entrepreneurs among the major industrial powers, have been demanding both that they should have a greater say in the running of British universities and that the universities should be more closely modelled on their corporations. This was particularly ironical in that British universities, unlike British business, had a world-class reputation in many areas.²⁶ The consequence has been a drastic collapse in morale within British universities and a decline in their world reputation.

We rather doubt that many university administrators subscribe in fact to these views although some do. Regrettably, however, they can easily become part of the public discourse about universities. They thus gain credibility partly because of the prolonged state of financial crisis and partly because of the failures of governance that we are endeavouring to address.

The presidency

We believe that the university needs strong academic and administrative leadership from the presidential suite. We define strong, however, in a different way from the top-down management school. It is our view that those who are strong leaders are people who can get differing constituencies to work together in a collegial fashion to produce top quality research and teaching.

We support a decentralized system of management that encourages creativity rather than bureaucratic blandness and endless reporting. We recognize that academic staff have interests of their own, but so too does the university administration. The secret of sensible university governance is to create structures that will encourage them to work together. We believe that a reformed system of participatory self-government is more likely to do this than an embracing of management ideas that are already becoming outdated even in the private sector.

Even in the area of collective bargaining, where it seems that confrontation is built in, the president should lead the board and senior administration to understand that they need to fully participate in the process. If the administration simply regards collective bargaining as an expensive nuisance, the results are predictable. If they come to the bargaining table, and more particularly if they set up and ensure the viability of joint union/administration discussions about the contract, with the view of using the process to deal with real problems, then the collective agreement will become a device by which both groups can realistically negotiate their goals. The senior administration should understand that faculty with collective agreements regard the negotiation process as one of true collegiality because there are sanctions to require the administration and board to really negotiate. Too often, in the non-union context, consultation has been perceived to mean the process of listening to various views and then doing exactly what the administration had intended in the first place. Anyone familiar with consultation in the federal sphere in Ottawa will understand the process.

²⁶ James Walsh, Registrar, University of Leeds, "Brains above all", *The Times Higher Education Supplement*, no.654, 17 May 1985. Also news article in the same edition by Peter Aspden. British universities have produced, for example, more Nobel prizes than in other countries of comparable size. In an earlier age Thorstein Veblen expressed some of these criticisms of business/university relationships in trenchant language. See *The Higher Learning in America: A Memorandum on the Conduct of Universities by Business Men*, U.S.A., 1917 and David Reisman, *Thorstein Veblen*, New York, 1953.

Many North American universities have set out statements of what they expect from their president. The State University of New York listed the following:

- * an appropriate background of formal education and evidence of scholarly ability
- * substantial successful experience in higher education
- * qualities of educational leadership and ability to maintain effective relationships with faculty, students, administrative staff, and others
- * evidence or distinct promise of productive community relationships
- * age which will both assure a reasonable number of years of educational experience and provide opportunity for a useful period of service before retirement
- * personal traits necessary for the most exacting of executive responsibilities, among which are strength of character, intelligence, integrity, humour, fortitude, balance and good judgment, sensitivity to human values, and understanding personality, a capacity for hard work²⁷

One of the briefest is from a campus of the University of Wisconsin system:

- * evidence of productive scholarship with a breadth of cultural and intellectual interests;
- * demonstrated administrative ability;
- * commitment to development of a major public university; and
- * sensitivity in faculty, student and community relations²⁸

While these statements tend towards the pious, it is no bad thing for the university to think seriously about what it wants its president to do. Most, regardless of size, seem to want a scholar and an administrator. In the larger universities we are not sure that this is always practical. This has led us to think that other models should be explicitly considered. One possibility is that the scholar/administrator president is assisted by a strong executive vice-presidency. Other universities may want their presidents to deal essentially with the externalities of the university - fund raising, relations with governments, alumni(ae) and with the host of bodies that have dealings with the university. In that case the president should be assisted by a strong academic vice-presidency which is invested with sufficient authority to give academic leadership. For instance, in this scenario, the academic vice-president might be the leader of executive business at the senate and the proposer of academic matters to the board - with, of course, the support and concurrence of the president. These types of structures now exist *de facto* in some universities but lack of discussion with the university community has led to suspicion about the real meaning of these arrangements, in particular whether they signal a downgrading of the academic work of the institution.

4.3 Choosing the senior administration

The procedures for choosing the president and the senior administrators should be approved by both the senate and the board of governors and should differ somewhat depending on the job.

²⁷ Joseph F. Kauffman, *The Selection of University Presidents*, Association of American Colleges, Washington, D.C., U.S.A., 1974.

²⁸ Kauffman, pp.38-39

The appointments themselves should have the consent of the senate as well as of the board. The senate may, in the case of the president, choose to delegate its authority to a search committee, but it should only do this if the academic staff has a substantial role on the committee, if the students are represented, and if the board of governors is required to choose from the short list proposed by the committee. This latter is vital in order to safeguard the members of the board from untoward lobbying in favour of a candidate not on the list. If those conditions are not met, it is our view that the president be appointed by the board with the advice and consent of the senate.

In any event the senate as well as the board of governors should vote on the nomination of the academic vice-president since that position is crucial to the academic well-being of the university which is the key concern of the senate. Faculty councils should formally ratify the choice of deans prior to the presentation of a name to the board of governors. Both academic vice-presidents and deans should be chosen through a search process although the senate needs to make a conscious and formal decision as to whether these are inside or outside searches before the process begins. There are examples of universities who have advertised for candidates when they had no money to pay for an outside person. This is a practice that is inherently unfair and irrational.

Our recommendation is, in effect, a system of mutual veto. The board should not be able to simply appoint a candidate but, in turn, the board should have the right to veto the suggestions of the academic staff and the students. This could lead to a stand-off but, since it is in the interest of both parties to have regular incumbents, rather than acting administrators, compromise and agreement is more likely. Such structures of mutual veto do exist at various levels within particular universities, and we did not hear any testimony as to their ineffectiveness or abuse.

The senate should also insist that there be a procedure in place to ensure that there is a vigorous search for non-traditional candidates. The senate committee on human rights and equity (see above in chapter on senates) should be involved in articulating these procedures. As Kauffman points out in his book on the selection of presidents, "as long as the same criteria and requirements are used to evaluate all candidates, a search which extends beyond those who apply is perfectly appropriate and desirable. This expanded search might well include specific solicitation of sources for women and minority, including minority women, candidates."²⁹ One of the depressing conclusions in reading the literature on university presidencies is the assumption that all such appointees will be male.

The search procedure normally begins with the striking of the search committee. It is important that the faculty have a significant role but that other constituencies are also represented as well as the representatives of the board. The proportions should vary depending on the post involved with the faculty having the largest numbers on the search committee for the academic vice-president.

One of the first questions that arises in the search procedure is whether the university should use executive search companies. Many faculty are sceptical. They wonder whether traditional searches would not find the same persons at less cost. They are concerned about the closed nature of the process. They fear that the candidate pool is an old-boy network. We think it is, however, inevitable that larger universities will use executive search companies if only because of the administrative and faculty time involved if traditional searches are substituted. It is our view that such companies should be, but sometimes are not, the servants of

²⁹ *Ibid.*, p.41

the search committee. This is usually because the search committee and the university have not been clear enough and firm enough in their instructions.

The university must ensure that the company understands that a university is not just another business but has a culture of its own. The companies need, therefore, to institute a methodology consistent with this culture, in particular the need for openness. The search for university administrators is an important source of revenue for these companies, and it seems unlikely that they would resist effective leadership from the university in redefining their mission.

Unfortunately some companies have, for instance, successfully persuaded administrations and boards of governors that searches must be totally secret in order to be effective. We reject this. The initial search should be private in order to winkle out all possible candidates but the short list ought to be public. Those on the short list should visit the campus and meet the major constituencies. Executive search committees should simply be told that these are the rules. It is sometimes suggested that those with administrative jobs elsewhere would feel uncomfortable if their current employer knew that they were in the market. There is some truth in this, but we think we have met this problem with our two-tier approach to openness. At some point individuals have to fish or cut bait. In any event the academic rumour mill ensures that in due course stories will circulate. It is better if they are accurate.

Some women faculty are concerned that executive search companies will find only male candidates. We were, however, informed of at least one case where the company was told to make a particular effort to recruit women into the pool of candidates and did so with success. Thus executive search companies properly used can discover non-traditional candidates if the university so desires and so instructs.

Such companies can also, if asked, verify the credentials of candidates. This is very important. On at least one occasion a major university in Canada hired a president with a degree from a degree mill.

Such companies, however, sometimes try to ensure that only they are the conduit between the university seeking a candidate and the universities at which the applicants are currently working. At the stage of the short list, members of the committee should be free to contact their opposite numbers on the campuses of the candidates. The committee may itself wish to visit the campus. These contacts, however, should be done formally and the results recorded in writing. The candidates should be informed in advance of the rules.

4.4 Do senior administrators have tenure?

We think that senior administrators should have a fixed contract of five years plus sabbatical privileges at the end of their term subject to dismissal for cause. There is some debate in the literature about this with some commentators urging that the president should serve at the pleasure of the board. It seems to us that this makes the president too subservient to the board. Just as the president may from time to time have to give unpleasant advice to the faculty, so might he or she have to do the same for the board of governors. Presidents should be able to do this without fear of their jobs. However, the board should be able to dismiss the president for cause or buy out his or her contract. The cost of this latter provision is likely to ensure that the president will not be removed for trivial reasons.

These appointments should be renewable provided the senior administrator in question has the confidence of his or her academic constituency. At the University of Waterloo for example, this requires a vote of the faculty constituency. Since deans and chairs of departments are meant to represent their faculties or

departments in the debates of the university, we think such votes concerning their office should be mandatory and that failure to win them should mean the termination of the administrative appointment. They, of course, have academic posts to return to. We recognize that the senior academic administration (e.g. president and vice-president academic or provost) may have to make unpopular decisions which would make re-election difficult. Nevertheless the board of governors and senate should know whether or not these administrators command support. They should, however, have the right to reconfirm an appointment despite this information for sound and reasoned views. To argue that this information should be suppressed is, however, illogical and contrary to the ethos of the university. Voting is in general better than rumour-mongering as a basis for discovering the views of the faculty.

If these procedures are not adopted and if renewable contracts are for longer than five years, then it is inevitable that there will be demands for a recall procedure. We think that recall arrangements produce a much more unstable situation for the senior administration, but they are better than no effective procedures for review at all.

Most deans and academic vice-presidents as well as some presidents have academic positions as well as their administrative ones. This means that they can, if they wish, return to faculty status. It is important, however, that this process be clearly established by the senate in advance. Senior administrators should not be given positions, particularly tenured positions, in departments unless they meet the academic standards of the department. Nor should they displace existing faculty. When they return to the department, only their base salary should be charged to faculty salaries. Any supplement should be negotiated separately between the individual and the board and charged to the administrative account. To do otherwise, particularly in small universities, distorts the salary data presented to the government or the public by the university. In most universities with collective agreements there is an article which deals with the return of administrators to the bargaining unit. Where this is not the case, the faculty and the administration should consider adding such a clause to the agreement or by-laws.

Many faculty have a rather presbyterian view of the style of the university presidency. Sometimes this can be mean-spirited and petty. But at other times it can be to the point. Some universities have expanded both the numbers and costs of their administration at the same time that they are pleading poverty in order to freeze the salaries of the employees. One of the jobs of the president should be to ensure that there is not administrative bloat, and the senate and board of governors should hold him or her to account for that.³⁰ This should be retrospective as well as prospective. Boards should formally review the growth of the administration over the past twenty years and ensure that it has not been excessive. On the other hand faculty members and students who demand employment equity, programs against sexual harassment, and improved student services should realize that these are likely to cost money.

Some of the commentary we heard suggested that the university might do well to limit significantly the role of senior administrators. On the contrary we think that the university can only work effectively if there is strong leadership, but we can define that leadership as one where the president and the other members of the senior administration respect and celebrate the diversity of the university and use their personal and political skills to bring these constituencies together for the common good.

³⁰ For a discussion of administrative bloat, see Barbara R. Bergman, "Bloated Administration, Blighted Campus"; Jay A. Halfond, "How to Control Administrative Cost"; Kenneth E. Anderson, "Anatomizing Bloat", *Academe*, November-December 1991.

4.5 Deans and faculty councils

The role of deans appears to be changing in many Canadian universities. In those universities with collective bargaining, deans are usually excluded from the bargaining unit and are considered part of management. Yet deans nevertheless have an important role in the collegial structure. They are meant to articulate and defend the professional and academic interests of their faculties within the academic and political structures of the university. Where possible, they seek out publicity both inside and outside the university for the achievements of their faculty and students. They are, as well, fund raisers for their faculties internally and externally. They also assist chairs and senior faculty in giving guidance to the newer members of the profession. They are expected to encourage useful innovation in teaching and research for faculty and students. These roles tend to set them apart from the senior administration.

On the other hand deans normally administer the collective agreement or equivalent in relation to their faculty and support staff, and their decisions may be the subject of grievances and arbitrations. Thus in their administrative capacity they have to work closely with the senior administration.

Faced with these janus-like persons, presidents sometimes try to eliminate their effective power by drawing a line between the deans and the senior administration, excluding them from the management side of the collective bargaining process, and transferring their powers to a host of vice-presidents. To the extent that this practice has been implemented in Canadian universities, we think it is misguided. Especially in difficult economic times, when many programs are operating under severe financial constraints, the perception that the ranks of the senior administration have in fact been enlarged because of a proliferation of vice-presidencies may well contribute to the widening of the rift between the faculty and the administration.

The principal role of the deans in the governance of the university is clearly to ensure that the academic concerns of the faculty are treated seriously in administrative debates and discussions. Administrative structures should not be designed to eliminate or marginalize that input or to sanitize discussion so that no dissenting voices are heard in administrative circles.

How should deans relate to their faculty? First of all, deans should be chosen by a process approved by senate and involving a search committee mainly selected by the faculty. The search committee structure, if sensibly set up, should encourage a range of applications. The recommendations of that committee should be ratified by the faculty council, and by the board of governors, on the recommendation of the president. If deans seek further terms, there should be a vote of the faculty which should be determinative, since deans are meant to represent their faculties. It is difficult to see how deans could represent their faculties if they did not have the confidence of the faculty members therein. The renomination should then proceed through the president to the board of governors for final approval.

Most universities of any size have faculty councils. These sometimes become structures for the discussion of trivia because issues of significance are discussed elsewhere. Deans ought to make certain that this does not happen, partly by ensuring that important academic questions are put to the faculty for discussion and resolution and partly by ensuring that meetings are not called simply for the sake of having them. We also recommend that there should be a regular spot on the agenda where the elected faculty senator(s) from that faculty report on the decisions of the senate. We think that this would strengthen the role and visibility of senators and allow for discussion of the key issues at the faculty level. We recognize that this is already done in some universities and commend the process. The faculty budget proposals should also be discussed and voted on at the faculty council. Those proposals will, of course, be subject to the budget review process noted above.

As with the senate, faculty councils should consider electing their own chairs. This leaves the deans free to introduce faculty business and to argue for particular resolutions without the inhibitions that should occur if they are also chair of the meeting. It also strengthens the principle of faculty self-governance. If the structures permit the dean to make separate comments or proposals in regard to the budget, those comments or proposals should be copied to the faculty council.

4.6 Chief librarians and library councils

In terms of governance the functioning of libraries should be much like the functioning of faculties with the chief librarian fulfilling a role much like that of dean. The attempts in recent years to move the decision-making structures of the library into harmony with the academic faculties has been an important and useful development but is not yet universal.

All universities should put in place constitutional structures for the proper functioning of the library. These should include a library council mainly composed of academic librarians along the lines of faculty councils.

Library budget proposals should be discussed and voted in the library council. The library budget will, of course, be subject to the budget review process noted above. As with the senate and faculty councils, the library council should elect its own chair. This leaves the chief librarian free to introduce library business and to argue for particular resolutions without the inhibitions that may well occur if he or she were also chair of the meeting. If the structures permit the chief librarian to make separate comments or budget proposals, those comments or proposals should be copied to the library council. The chief librarian and elected librarian members on the senate should report on a regular basis to the library council concerning the work of the senate, particularly but not exclusively in regard to library issues.

Chief librarians should be chosen by a search process approved by senate which ensures a substantial role for the academic librarians plus some representatives of the academic staff. The choice of the search committee should be ratified by the library council, the senate and the board of governors. If chief librarians wish to renew their mandate, there should be a vote of the library council which should be definitive. The renomination would then proceed to the senate and the board of governors for final approval.

The library council should not be confused with any advisory structure for the library by which departments and faculties make known their needs and concerns. Such bodies are frequent in Canada and should continue and be encouraged. The academic librarians may want a representative or two of this body to sit on the library council. If so, that wish should be accommodated.

There is a real concern among academic librarians that some university administrators wish to treat them as clerks and not as professionals. In this connection it is worth noting that the university library is one of the few areas in the university with a large number of women with professional qualifications. It is not, therefore, surprising that some of them see this attitude as a form of discrimination against women. University libraries should be operated in a fair and constitutional manner, just as faculties ought to be.

4.7 Chairs of departments

For most faculty and students the academic departments are regarded as the basic components or building blocks of the university although in some smaller faculties the faculty itself acts as a department. Two of the most important issues in the governance of departments are the procedures for the choice of the chair and the role of the person so selected.

The procedures for the choice of chair vary. In most institutions with certified bargaining agents or similar arrangements, the chairs are members of the bargaining unit and the rules for choosing them are part of the collective agreement. Elsewhere the rules are normally generated by the senate.

In our view the general approach to the appointment of chairs should be one of mutual veto. Normally departments should use search committees whose procedures are either negotiated with the faculty union or, in the absence of a collective agreement or similar document, generated by the senate. The recommendation of the search committee should be ratified by both the department and the dean acting for the administration. If the department and the dean are not in agreement, the department should search for another candidate. In the event of a protracted dispute, the procedures should set out an alternative. Any such alternative procedure should, however, be established either in the collective agreement or by the senate and should ensure significant representation of the faculty.

Chairs are *primus inter pares* in their departments. In most universities where the faculty are unionized, the chairs are not part of the management and normally must have significant personnel recommendations ratified by the dean. With this caveat, the chair should provide leadership and encouragement for the development of the department and ensure effective day-to-day administration.

RECOMMENDATIONS

- 1. Universities should have in place public statements of what they expect from their presidents and senior administrators.**
- 2. In some universities boards of governors need to realistically discuss with the members of the university community and their representatives the role of the president. Presidents cannot do everything, and such universities may want to encourage the development of a strong executive vice-presidency or, in the alternative, to divide the presidential role between the president, with a largely external mandate, and the academic vice-president, assigning academic leadership to the latter. In this latter scenario the academic vice-president should be given sufficient authority to act as the leader of executive business in the senate and the proposer of academic matters to the board.**
- 3. The procedures for choosing the president and the senior administrators should be formally approved by both the senate and the board or through the collective bargaining process.**
- 4. Senior academic appointments should require the approval of the senate. In the case of the presidency, the senate may choose to delegate its authority to a search committee but should only do so if the faculty has a substantial role on the committee, the students are represented and if the board of governors is constrained to choose from a short list of qualified candidates. Otherwise presidential appointments should only be with the advice and consent of the senate.**

5. The senate should formally vote on the choice of academic vice-president prior to the presentation of the name of the person selected by the search committee to the board of governors.
6. There should be a procedure in place to ensure that there is a vigorous search for non-traditional candidates for senior appointments, and the senate committee on human rights and equity should be involved in articulating these procedures. If an executive search company is used, it should be informed of these procedures and of their importance.
7. The procedure for search committees for senior academic appointments should ensure that, while the initial call through advertising for candidates is confidential, the names on the short list are open. Those on the short list should be invited to the campus to meet the major constituencies.
8. Where executive search committees are used, they should be instructed to develop procedures consistent with the culture of the university and, in particular, should conduct the search in the manner prescribed in items 6 and 7 above and, once the short list is established and is made public, should not attempt to limit contact with the campuses of the candidates to themselves.
9. The president should have a fixed contract of five years subject to dismissal for just cause or buy-out arrangements plus sabbatical privileges at the end of the term. Other senior academic administrators should have five year contracts with sabbatical privileges and be subject to dismissal for just cause.
10. Senior administrative appointments should be renewable. In the case of chairs and deans, who are meant to represent their constituencies in the debates of the university, renewal should be subject to a favourable vote by a majority of the faculty in the academic constituency concerned. In the case of academic vice-presidents and presidents, who have a more multi-faceted mandate, there should also be a vote of the faculty but the senate and board should be empowered to override that vote for stated reasons.
11. If the university wishes to ensure that a senior academic administrator can also have an academic post in a department, the rules should be established in advance. Senior administrators should not be given posts in departments, particularly tenured posts, unless they meet the academic standards of the department. Nor should they displace existing faculty. Any market differentials that such administrators may have negotiated to continue after their return to the bargaining unit should be charged to the administrative and not to the faculty budget. Faculty associations and the board of governors should negotiate an article to govern the return of administrators to the bargaining unit as part of the collective agreement or equivalent document.
12. The senate and the board of governors should ensure that administrations do not grow in size at a time when student services are being cut, faculty appointments are being constrained or cut, salaries frozen or increases are being paid at less than the cost of living. The board should review the growth of the administration over the past 20 years and make certain that this has not been excessive.

13. Deans should continue in their role as advocates of their faculty and as participants in the management structure.
14. Deans should be chosen by a process approved by the senate and involving a search committee mainly chosen by the faculty. If deans seek re-election, there should be a vote of their faculty which should be determinative.
15. There should be faculty councils mainly composed of faculty which should discuss the academic business of the faculty, hear reports from the faculty's senators, and should vote on the budget proposals of the faculty prior to the consideration of the budget by the senior administration and the senate budget committee.
16. Faculty councils should consider electing their own chairs.
17. Chairs should normally be chosen through a process involving a search committee, ratification by the department and final approval by the board of governors. Reappointment should require the support of the majority of the department by formal vote.
18. Chairs are in most cases members of the bargaining unit in unionized universities and, in any event, should operate as *primus inter pares* with the duty of providing leadership and encouragement for the development of the department and ensuring effective day-to-day administration.
19. Universities should encourage the trend to move decision-making structures of the library into harmony with the academic faculties.
20. There should be a library council mainly composed of academic librarians along the lines of faculty councils with some representation of the academic staff.
21. The library council should consider library business and should vote on the budget proposals of the library for its budget prior to submission to the senior administration and to the senate budget committee.
22. Chief librarians should be chosen by a process analogous to that of deans.
23. Library councils should consider electing their own chairs.

PART B: ACCOUNTABILITY**Foreword**

Accountability is very much on the agenda of higher education and of governments these days. In Ontario, for example, the minister has appointed a task force on university accountability. As the task force has discovered, accountability is a many-faceted matter.³¹ It leads one into many areas of governance. One of these is the proper role of the state *vis-à-vis* higher education, in particular how to ensure that the large sums of public money involved in the running of the universities and colleges are wisely spent. We believe that governments and legislatures must make the major system-wide decisions on funding and structure but only after effective public consultation and through a process which makes their own discussions within the civil service open and public.

On the other hand we think governments should be sceptical and cautious about current fads about public administration, notably value-for-money accounting and the indiscriminate use of statistical performance indicators. We believe that governments should encourage the universities to develop effective discussion between the universities and the public about the role of the postsecondary education and of how the institutions are carrying out their mission.

We think that underlying any system of effective accountability must be a general commitment to openness both by government and by the institutions of higher education. In a democratic society accountability must in the end mean accountability to the general public. This can only be achieved if the universities become much more open and transparent than they are now. This should apply to their procedures, their governing councils, their financial statements and the like.

Openness and accountability in turn lead to questions about the rules and procedures to prevent conflict of interest and to preclude fraud and misconduct in academic research.

Openness should also apply to the provincial and federal governments. Their decision-making process needs to be much more open than it is now, and we suggest ways and means of doing this.

How should the universities deal with the questions of quality assurance? Should they leave these matters to the provincial ministries or should they take steps of their own? We shall opt for the latter solution, and we discuss various procedures and strategies adopted or recommended in Canada or in other countries.

We suggest that the time has come for a national system of accreditation for universities and also for university programs offered through colleges or in non-traditional ways. We think that it is vital that the universities develop such a system in collaboration with the Council of Ministers of Education. We are convinced that if they do not, the provinces will ultimately create separate quasi-official accrediting agencies in each province. We are opposed to this partly because of the balkanization involved and partly because we think that there is an inherent conflict of interest since provincial governments may wish to allege that their universities are providing top quality education regardless of the effects of underfunding.

³¹ Ontario Task Force on University Accountability, *Task Force on University Accountability: Progress Report and Issues Papers*, Toronto, June 1992.

As part of this commitment to accountability we also examine particular questions in relation to teaching and research in the universities where we think steps can be taken which will assure the public that the universities are taking both these functions seriously and effectively.

We approach accountability from the position that the public has a right to know what the universities are doing, why they are doing it, and whether they do it well. The universities should organize themselves so that they can answer these questions rationally, fully, and honestly. They should be able to assure the public that they are carrying out their educational function in a manner that serves the public need for higher education. They should also be prepared to answer their critics. One of the concerns that we heard is that the senior leadership of Canadian universities is often unwilling to do this.

5. GOVERNMENTS AND ACCOUNTABILITY

5.1 System-wide decisions

It is, in our view, entirely proper for the provincial government of the day to take ultimate responsibility for major decisions concerning the university system in its province when these decisions are both expensive and may change the orientation of the system. These are political decisions and should be taken in the political arena by the government as the representative of the people. We are thinking of the opening or closing of universities, expanding or contracting the number of expensive professional faculties such as medicine or engineering, pooling resources in an expensive area with other provinces, substantially increasing or decreasing the intake of university students in the province, or altering the regime of students fees and student aid. Provincial governments should, however, seek public input prior to these decisions and should have discussions in depth with the stakeholders. The word consultation has fallen into disrepute because it all too frequently means *pro forma* hearings over plans which the provincial civil service has already decided. An example of this is the original terms of reference of the Johnson Commission in Saskatchewan where the questions posed to the Commission appear to presuppose the answers already arrived at by the bureaucracy.

We believe that in all the situations noted in the previous paragraph provincial governments would be wise, before they act, to create truly independent commissions of enquiry for advice since the actions proposed are significant and the results likely to be long lasting. An example of the failure to do this was the decision of the previous government of British Columbia to create in great haste four university colleges and a new university in the province as part of their election strategy. In the case of the University of Northern British Columbia this failure unnecessarily complicated the creation of the university by embroiling it in a difficult and unnecessary controversy with the existing community colleges in northern British Columbia over the delivery of university courses in the northern part of the province.

At the end of the day, however, these are political decisions. If the university community wishes to influence these decisions, they will have to do so in that arena.

One of the ways of doing this is to insist that openness applies to the provincial governments as well as to the universities. Governments should as a matter of course make available to the universities all the background memoranda developed by the civil service in relation to any major decisions about the university system and all correspondence by interested parties with the ministry.

The most direct way to ensure this is for the university community to seek amendments, where necessary, to the provincial freedom of information acts to require that these materials be made public. If this is not practical, there is nothing to prevent individual ministries from adopting procedures of this type, and the university community should press to secure such arrangements. Provincial and local faculty associations

should use existing legislation to demand this information and, if it turns out that they cannot secure it either informally or through existing legislation, seek amendments to that legislation. They will find allies among the many, particularly in the media, who favour more openness in government.

This approach applies as well at the federal level. Regrettably the federal government can and does hide behind exceptions to federal freedom of information legislation, particularly in relation to federal/provincial negotiations, to avoid openness.

5.2 Co-ordinating bodies and tiering

There are a great variety of co-ordinating structures both in Canada and the United States. In Canada many of these derived from the old Universities Grants Commission in the United Kingdom. The idea behind the UGC was to create a buffer between the universities and the state so that, on the one hand, the state could be assured that the universities were conducting their work in a reasonable manner and, on the other, to ensure autonomy for the universities. The UGC in the United Kingdom has long since disappeared in the Thatcherite storm to be replaced by direct control of virtually every detail of university life by the central bureaucracy. This has led to a serious decline in the morale of faculty at British universities.

In Canada some provinces have retained these commission structures and others abandoned them. Where they have disappeared, they have generally been un lamented. This suggests that they were not open enough or independent enough to do a proper job. A common complaint was that they merely provided a secretive screen behind which the minister could hide without doing any practical good for the university community. The rest will survive in a useful form only if they are both open and reasonably independent. It is a discouraging sign of the trend in the opposite direction to see the government of Nova Scotia taking steps that may well lead to the breaking up of the Maritime Provinces Higher Education Commission by creating its own tame body at home.

From time to time it is suggested that these co-ordinating bodies should create a tiering system whereby some universities did research and the others taught. Since we do not accept the separation of teaching from research and scholarly activity, we find this to be a particularly disturbing proposal. A university physicist is not fulfilling his or her role without a laboratory and the opportunity to do some research. No doubt if he or she were in a smaller institution, travel would be necessary for the use of expensive and specialized equipment. In any event it does seem to us a rejection of the Canadian ethos to pass rules saying that certain university faculty shall be forbidden to do research. That smacks more of the Soviet empire than of a western democracy and is surely counterproductive in a country which is so concerned about international competitiveness.

This is not, however, to oppose differentiation. There already is a variety of Canadian universities with different missions. There is a striking differentiation between large and small universities in the funds received for research, particularly in expensive areas such as medicine, science and engineering. About eighty per cent of federal research funds go to some eighteen universities.

The accrediting model we suggest will, in fact, encourage universities to develop different mission statements for themselves and ensure that academic judgments are based on how well the institution realizes that mission. This seems to us to be a better approach than trying to artificially distinguish between research and teaching institutions.

It should also be recognized that universities are by nature competitive. Government policy should encourage that competition within limits since intellectual monopoly is no better than the economic variety. Clearly not

every university can have a medical school, but the country needs universities, faculties and departments that compete for excellence and adopt a variety of different intellectual and scientific approaches. It is only through the free market of ideas that we can hope for the development of new approaches to research and teaching, and we are unlikely to maintain that free market unless we continue to have in Canada a variety of graduate and professional schools with different ideas but committed to research and the teaching of the next generation of scientists and scholars.

This should suggest a certain scepticism about one of the current catchwords in academia and government, namely rationalization. It is much in vogue, for example, in Nova Scotia at the moment where it seems mainly to be a rhetorical smokescreen for a reducing the budgets of universities. In the undergraduate sphere it is based on a flawed premise, namely that all universities do not need the full range of basic departments. It is, however, absurd to think that undergraduate students will take their English courses at Acadia, their economics at St. Francis Xavier, and their history courses at St. Mary's. Any university worthy of the name must have a basic complement of undergraduate departments, a good library and reasonable scientific and computing equipment related to its mission. It should also encourage its faculty to engage in research and scholarship. It will be unlikely to retain good faculty for very long if it fails to do so. Nothing would seem more counterproductive for Canada than passing rules to prevent faculty from engaging in research as appears to be the view of the current government of British Columbia in relation to the academic staff of its new university colleges.

5.3 Value-for-money auditing

Universities, of course, are required to have their books audited. All universities have their own auditors who conduct an annual audit. The provincial auditor in Ontario thought these were not always as thorough as they might be. Nor are the published reports necessarily terribly informative, a problem which would be solved if the line budget became an open document. In any event this led the provincial auditor to audit three Ontario universities. It was a serious error by the Ontario universities to refuse access to the provincial auditor to all their accounts on the grounds that not all the money came from the province. It inevitably provoked the government and led to suspicions about the auditing process. It would have been far better simply to have declared that the books were open to any reasonable inquiry from within or without the university.

We are concerned about the drive of the provincial auditing bureaucracy to transform financial auditing into line control of the operations of the university by the back door through so-called value-for-money accounting. What this is supposed to mean is that the auditors will decide not only on the accuracy, the depth and the honesty of the financial accounting but also on whether the programmes on which the money is spent represent value-for-money. This seems little more than a presumptuous claim by the auditors to run the university. The question is, of course is whose values and whose criteria.

Jeffrey Simpson, national columnist for the *Globe and Mail*, had these suggestions in regard to value-for-money accounting for the Association of Universities and Colleges in a recent symposium on accountability:

"My advice to you in this matter is highly unusual for a journalist, all of whose contemporaries revere the country's auditor-general. I am, however, a sceptic of the impact of value-for-money auditing on government. I am not convinced that it brings the benefits everyone supposes. In Ottawa, which I know best, value-for-money auditing has contributed to the entire government apparatus being preoccupied with process. And yet it can hardly be claimed that this proliferation of attention to procedure and accountability...has made government more effective.

Indeed, I would argue that it is at least a defensible proposition that government became too big and cumbersome in part because of the excessive requirements of procedure. "

"Value-for-money auditors vary far from what has been traditional auditing. In my opinion, value-for-money auditing, whatever its merits, also brings us values-for-money auditing, and the values are those of the auditor...".

"So my advice to university and college presidents is to fight by whatever means against allowing auditors to extend their mandate into your territories. This does not mean that accountability is not required; it does mean that you would be doing yourselves, your institutions and ultimately the taxpayers a favour if you did not allow value-for-money auditing, and those who practice it, to invade the universities. If they do, the demands of process which have so preoccupied governments will increase dramatically in your institutions."³²

The major proponents of this approach in Canada are James Cutt and Rodney Dobell. Some of the principles on which they would operate a system are clear from their most recent book³³ - accessibility of students should be curtailed and dressed up as a commitment to excellence, output in relation to students should be measured in how high a salary they get after graduation, and academic self-government and unionization should be curtailed as much as possible. Value-for-money accounting in our view is simply a bad idea. It is a sophisticated technique for increasing governmental control of the operations of the university and for imposing a particular political agenda. We hope that both provincial governments and universities will reject this approach.

The main organization propagating these views is the Canadian Comprehensive Auditing Foundation, established in 1980 which has identified the universities as its latest target. It considers that one of the key issues "...is the trade-off between access and excellence".³⁴

The use of the totem of excellence to deny higher education to qualified Canadian students was a feature of the approach of the federal government and its clients at the National Forum on Postsecondary Education in Saskatoon in 1987. It is noticeable that the people and organizations represented there rejected that approach and demanded both excellence and accessibility.

5.4 Performance indicators

In the last decade there has been a tendency in government to demand ever more statistical reporting about the operations of universities and colleges. It is odd that these generally conservative governments, ideologically committed to removing business enterprise from the control of government, have at the same time attempted to rivet ever more bureaucratic control on the universities. It is hard to understand how such

³² Jeffrey Simpson, *Keynote address: Accountability in Higher Education*, General meeting of the Association of Universities and Colleges of Canada, Vancouver, 4 March 1992.

³³ See especially ch.1: "Accountability and Autonomy in Canada's University Sector: Business as Usual or the Lull before the Storm" in Cutt and Dobell.

³⁴ *Task Force on University Accountability: Progress Report and Issues Paper*, Ontario Task Force on University Accountability, Toronto, June 1992.

governments can think that an approach which features hierarchy, endless reporting and governmental controls can produce creativity.

Universities should nevertheless be much more open and thorough in their financial reporting to the general public and to the politicians. There has been a tendency on the part of university administrations in some places to adopt a siege mentality. In the end this is self-defeating. In a democracy the university must be prepared to debate its role and defend its heritage in the public milieu.

The universities do need to provide data on their performance, but not in the overly simplistic manner suggested by Stuart Smith. He put enormous faith, for example, in recording the time it took a student to gain a degree. The implicit assumption of this analysis was that the university was still largely composed of single students ages seventeen to twenty-one who, if all were going well, should graduate in three or four years depending on the length of the degree program. However, universities now have, in addition to their traditional intake, large numbers of married students, and a large and growing number over the age of twenty-one, frequently married and working, sometimes single parents who cannot possibly take their degrees in the traditional time-span. If the state forces universities to make completion rates the be-all and end-all of educational policy, they would be discriminating against this large group of students, many of whom are women. The same is true at the graduate level. A recent study of graduate students at the University of Toronto indicated that the major reason for the length of degree programs in the humanities and the social sciences was the relative lack of funds in these areas when compared with the natural sciences. What, therefore, looks like a neutral performance indicator may reasonably be seen by others as a device to discriminate against women with family responsibilities and against those with limited financial resources. Furthermore universities across the country have experimented with a number of innovative programs to encourage access by non-traditional groups. Experimental programs in their initial phases are not likely to produce graduates in the traditional periods of time. Thus, if universities followed the prescriptions of Stuart Smith, they would be well advised to abandon such programs. Statistical programs can, of course, be devised that would take into account many of these variables, and universities should not refuse the information but rather insist that they will only report their figures in such terms.

Openness also involves providing useful research on the work of the universities themselves. What kind of research? Yesterday's trendy catch phrase was performance indicators - one also favoured by the value-for-money auditors. This was simply a phrase used to describe statistical analysis of the work of the university. Only the most extreme Luddites would oppose statistical and operational research, but there are problems which need to be faced in such research programs.

One of the pitfalls is that universities and governments come to think that the only important work of the university is that which can be measured quantitatively. Another is cost. Provincial governments frequently want the results but do not want to pay the costs. Costs not only involve money but also the time of everyone involved. Another is balance. The university is supposed to teach and to do research. If it devotes excessive time to navel gazing, it will do less teaching and research. More important, however, is the fact that performance is very much in the eye of the beholder. The civil servants and politicians may think that teaching mass classes with minimally qualified teachers at less pay produces a marvellous performance - higher education at the lowest possible cost. It is unlikely that students, faculty or parents would consider that an indication of excellent performance. They are much more likely to think that a university with a superior performance is one that would provide individualized and thus very expensive education from famous professors engaged on the cutting edge of their discipline. Finally will the results of this research be truly independent? All this is not an argument against research but rather one for intellectually sound and independent research and for the extra funds to do it properly.

One of the creative suggestions of Stuart Smith was that governments should provide more money for research on the operations of the universities. He suggested that Canada should create a fund similar to FIPSE in the United States with a budget of \$1.5 million per year administered by the Social Sciences and Humanities Research Council. This is a good idea. Less good is the notion that this money should only be available for short-term so-called practical research.³⁵ However, he neglected to say who would pay for this. In our view the Council of Ministers of Education and the Secretary of State might usefully put up the funds. Administration by SSHRCC would guarantee that the research is independent of both the universities and of governments.

5.5 Governments and financing

Governments themselves need to be accountable. We have already suggested in the previous sections that governments should be much more open than they now are whenever they are considering major policy changes in the area of higher education. Governments, moreover, should be held accountable for the financial health of the postsecondary education system. Universities face a serious and growing financial crisis, and neither the provinces nor the federal government have seriously addressed it. Indeed they continue to find it politically profitable to argue about jurisdiction rather than to deal with the issues at hand. One striking example of the failure of governments to live up to their obligations in this area is their incapacity to regularize the transfer payments from Ottawa to the provinces in respect of postsecondary education. No serious attempt was made by the parties to do this during the long constitutional negotiations which preceded the October 1992 referenda, and, at the time of writing, there appears to be little or no will on the part of governments to take the matter up.

It is, of course, argued that there simply is no money. Yet the federal government could find \$4.4 billion in the summer of 1992 to pay for helicopters originally requested to deal with the now non-existent Soviet menace while at the same time cutting the cash payments to provinces in respect of postsecondary education by \$4.7 billion between 1986 and 1993. Nor was the helicopter deal unique as the substantial financial support for Guaranty Trust and for Canadian Airlines demonstrated.

Nor are these problems simply created by the federal government. During the eighties one of the most notorious examples of university underfunding was that of the Social Credit government in British Columbia. It always argued that it spent every federal dollar it received in respect of postsecondary education on postsecondary education. It simply reduced its own commitments significantly at the same time. This irresponsibility caused serious problems for the universities of the province.

³⁵ Stuart L. Smith, *Report of the Commission of Inquiry on Canadian University Education*, AUCC, Ottawa, 1991. Perhaps inadvertently the report itself shows the value of research. Readers of the report might well conclude that students considered that there was something seriously wrong with the quality of teaching in Canadian universities. The published research of the Commission, however, shows that by and large students are satisfied with their courses and that their responses vary little from those of students in the United States. So too does the recent student survey in *Maclean's*, 9 November 1992.

Federal/provincial financing is not, *per se*, part of our mandate, and we introduce it simply to suggest that it is a good example of how accountability should also apply to politicians and civil servants. In this sense we commend the recent views expressed by the editors of the *Toronto Star*:

...For too long, governments have blamed post-secondary institutions, especially universities, for not responding to society's needs. That's no longer true in most cases. Universities have accommodated more students, improved the quality of teaching, done more relevant research and become more accountable. There's no more that can be squeezed out of post-secondary institutions. They can't be expected to keep delivering more for less indefinitely. It's time for Ottawa to replace its inadequate transfer payments to provinces - and time for Queen's Park to heed its own rhetoric about the value of education.³⁶

5.6 Governments and university autonomy

Some people in the university community think that effective and real power in terms of university governance has inexorably moved from the university to the state and that all decisions of significance are made by civil servants and politicians. Such an apocalyptic view naturally produces cynicism about the role of internal university governance. The critique is only partly true. Canadian universities exercise much more autonomy than, for example, those of continental Europe which have traditionally been directed by a central bureaucracy and where the faculty are frequently classified as civil servants or those of the former Soviet empire. Canadian universities also have more independence than many of the state universities in the United States but less than those of the major private universities in that country.

Nevertheless a web of political and bureaucratic structures is evolving in Canada whereby politicians and civil servants clearly have more control and more involvement in the affairs of the universities than ever before. Indeed one of the striking features of discussion about university/government structures is how bureaucratic the vision seems so frequently to be. No one denies that the universities must be accountable to governments as well as to the voters for the large amount of public funds that are spent on the universities. The problem is to marry this need for accountability to the equally important need for university autonomy and for academic freedom.

There are good reasons for unease in the university community about this relationship. There is an inexorable demand by the bureaucracy for control with its ceaseless insistence on data, reports, and bureaucratic correctness. There has, of course, over the centuries always been a tension between town and gown, and a certain degree of that is creative and healthy. If the university simply shared and replicated the conventional wisdom of the time, it would not be serving the public as it should. When it criticizes society, it should not be surprised, however, that some of the comfortable classes bite back.

There are those within government who nevertheless recognize that close governmental control is unlikely to produce excellence. Mr. Gary Mullins, the Deputy Minister in British Columbia, has said:

I think that what governments are looking for, at least what the government of British Columbia is looking for, are vibrant institutions that are autonomous. I have a mandate from my minister to loosen significantly the strings that now bind our colleges to our government and to give our colleges significantly more autonomy than they have had in the past, because my minister and

³⁶ *The Sunday Star*, 23 August 1992 (Toronto).

I and others profoundly believe that governments cannot create excellent institutions. Only institutions can create excellence for themselves. Governments have the ability to pull down, but they don't have the ability to push up. But as governments we have to create an environment in which that excellence can thrive. That excellence will take place as a result of being aware of what society needs, being able to respond to those needs, and being able to communicate to that society whose needs are there to and to fulfil.³⁷

We think that one of the ways to meet the challenge is to try some non-bureaucratic solutions. In 1987 the Hon. David Crombie, then Secretary of State of Canada and the Hon. Roland Penner, then Chair of the Council of Ministers, collaborated on the creation of a wide-ranging non-official forum on higher education in Saskatoon. Representatives of governments, universities, and a wide variety of organizations outside the university community met and debated, with the media present, policy pertaining to postsecondary education. Many people hoped that this would be the beginning of an annual series of such public encounters, but perhaps with a scaled down and less costly structure. We think this remains a good idea, and we recommend that the Council of Ministers of Education and the Secretary of State co-sponsor such meetings.³⁸ The need for this has been made manifest by the decision of the Council of Ministers of Education that it, itself, would not in the future meet with any of the stakeholders in the postsecondary education community.

We are convinced that change for the better will only occur if the stakeholders and the representatives of government and various interest public groups have a forum to debate the issues and put their points of view. This is the necessary pre-condition to intelligent political action by governments and by the university community.

It is also a necessary part of public accountability and of a general policy on openness. The OECD in a report on Canadian education some years ago remarked about how little political debate there was in Canada about educational policy despite its importance and despite the large sums of money involved.³⁹ We think this should change, and our recommendation is one way of doing it.

If the Council of Ministers of Education and the Secretary of State are unwilling to sponsor such a program of annual public fora, then we recommend that the university community (i.e. AUCC, CAUT, and CFS) undertake this task itself and seek financial support from public and private granting agencies.

We are aware, of course, that some critics believe that the focus on accountability at this time by governments is not accidental and that it is, at least in part designed, to manoeuvre criticism from them and their civil servants to the universities themselves. The realization that some of the critics are disingenuous should not,

³⁷ Gary Mullins, "Should Universities View Provincial Public Servants as Regulators or Allies?", in Cutt and Dobell, pp. 277-283.

³⁸ The CAUT and the federal NDP and Liberals have pressed for a federal/provincial council on higher education. While this seems unlikely in the current constitutional paradigm, the more informal arrangements we are suggesting here seem less politically threatening. It nevertheless is striking that Canadians cannot create cooperative structures to bring those concerned with higher education together while the Germans, for example, seem able to do this within their federal structure with much greater success.

³⁹ OECD, *Reviews of National Policies for Education - Canada*, Paris, 1976, p.19.

however, deflect the universities from adopting procedures that will make their mission clear to the general public and ensure that there are proper procedures and structures to make the university a better place in the sense of fulfilling its educational and social mission.

RECOMMENDATIONS

- 1. The university community needs to accept that major decisions in regard to universities whether in terms of funding or access will be made in the political arena. Universities should not be shy about lobbying on these issues and should not waste time trying to remove them from the political context.**
- 2. Governments themselves should make public all their internal documentation bearing on major policy decisions relating to higher education. Where governments do not do this, the university community should lobby for amendments to the provincial freedom of information legislation to require it.**
- 3. University co-ordinating commissions will and should only survive if they are truly open and maintain a constructive track record of intelligent and rational support of the universities in their jurisdiction.**
- 4. Governments should reject proposals to restructure the universities into separate teaching and research institutions. Instead universities should be encouraged to develop differentiated mission statements through the accrediting process.**
- 5. The universities should resist the attempt by provincial auditors to control the policies of universities through so-called value-for-money auditing systems. Instead the university budget and accounts should be open.**
- 6. The universities should engage in research about their own operations within the limits of the funding made available.**
- 7. The Council of Ministers of Education and the Secretary of State for Canada should implement and finance the recommendation of Stuart Smith to channel new research funds to the Social Sciences and Humanities Research Council in order to provide funds for peer evaluated and competitive research on the operations and functioning of the universities.**
- 8. Governments need to understand that accountability in higher education applies to them as well as to the institutions of higher education, in particular they need to be accountable to the public for the financing of higher education at a level consistent with the needs of the country and its citizenry.**
- 9. Governments should encourage creativity in institutions of higher learning through decentralization and by resisting demands for more centralized control by the civil service.**
- 10. The Council of Ministers of Education and the Secretary of State should jointly sponsor an annual meeting of the stakeholders within the university and of the major interest groups outside in order to create a public forum for the discussion of the major problems facing Canada's**

universities. If the CMEC and the Secretary of State are not interested in doing this, the university community should do it itself, in which case it should be sponsored by AUCC, CAUT and CFS.

6. UNIVERSITIES AND ACCOUNTABILITY

We believe that the university community should itself initiate major changes in order to ensure accountability. In particular we recommend policies on openness, conflict of interest, accreditation, teaching and research.

6.1 Openness in the university

Few would dispute that universities should be accountable for the large sums of money that are given them by the state. As part of a regime of accountability, provincial governments should ensure that the financial operations of the universities are generally open. This should extend to most other matters dealt with by the board of governors and the senate. There are matters which may temporarily have to be closed (e.g. property arrangements while purchasing or selling is in operation or when disciplinary action⁴⁰ or contract negotiations are being discussed) but these should be few and far between and should be subject to retrospective openness as soon as the particular matter is decided.

Openness of boards of governors has in many universities been subverted by excessive rules of secrecy. Faculty and students are elected to the board, only to find that practically all the operations are then declared secret. These faculty and student representatives are thus unable to report back to their constituencies which was the point of electing them in the first place. Representation then becomes a pointless exercise.

We think that the constitutions of boards of governors should clearly state a limited set of circumstances for closing a meeting and should require a two-thirds vote for each item in the agenda for which closure is requested with retrospective open reporting. Blanket closure should be forbidden.

We believe that the line budget of the university should be open for inspection including all faculty and management salaries and benefits.⁴¹ The simplest way to do this is to table it in the senate. The benefits outweigh the difficulties. For example, faculty and student paranoia over administrative salaries would in all likelihood be shown to be false in most Canadian universities although probably not in all. If it turns out that a university is paying a disguised market differential to one faculty and not another, it will be useful for this to be public knowledge on the campus. We recognize that market differentials have to be paid in some disciplines, but this should be done by conscious public decision through the bargaining process. A number of collective agreements already spell out market differentials. Open salaries will, of course, reveal some high faculty salaries but will, in fact, show many more low ones. That is why all faculty salaries should be open including those of part-time academic staff. Faculty and administrative salaries have been published in British Columbia for years and the sky has not fallen. In any event if faculty want an open university, they and the administration will have to be open about salaries.

⁴⁰ In the case of disciplinary action, any proceedings leading to a judgement should, at the request of the grievor, be open.

⁴¹ To be precise we think that all faculty, middle and senior management salaries should be public. All other salaries should be publicly reported by charts giving average, mean and 90th percentile salaries in each rank.

We also suggest that every university should have a documents policy and that the operating principle should be to maximize openness. We recognize that certain items such as personnel and medical files of faculty, staff and students need to be restricted. We know that Employee Assistance Programs which treat substance abuse, psychological and other problems must be conducted with a guarantee of secrecy. The same is true of AIDS testing programs. We however, think that the academic curriculum vitae of academic staff members and senior administrators as submitted by them should be considered public and not private documents, thus saving much unnecessary rule making and many problems.⁴² We do, however, think that universities have a right to charge a reasonable amount for those who wish to copy items from the university archives.

We also think that universities need to be pro-active about openness. Publishing the minutes of senate to a select few weeks or months after the event is not pro-active openness. Nor is a brief column in the university newspaper. The university needs to consciously think about how to make the debates and decisions of the board and the senate known to everyone expeditiously. Where internal cable systems exist they might, for instance, carry such debates. No doubt there are other imaginative ways that can suit individual institutions. What is needed is will.

6.2 Conflict of interest

We think that every university should have a formal policy on conflict of interest which applies to everyone including the board of governors, the administration and the faculty. The guiding principle of such a policy should be public disclosure of any potential conflicts of interest of a significant nature. Conflict of interest should not normally preclude individuals working in or serving the university community, but it should preclude them from making or voting on decisions that will give them a significant personal or corporate financial benefit (see appendix A for models suggested by the CAUT and by the AAUP).

Public policy in Canada has been strongly in favour of formal and informal links between universities and business. It is not within our mandate to comment on the merits of this approach, but we believe that it is important for the universities to develop clear ideas and rules in regard to such developments and to ensure that the university does not subsidize private industry.

However, representatives of corporations which do significant ongoing business with the university (e.g. insurance, law firms, computer firms) should not sit on the board of governors. There should be public disclosure by the senior administration of all corporate directorships and such directorships should be forbidden where the university has a major ongoing financial relationship with the company in question. The president of the university and the vice-presidents should declare all of their business interests, shareholding or similar significant financial involvements in an annual public statement to the board of governors. Administrative officials who deal with insurance and pension carriers should never receive better treatment in terms of pensions and insurance than other employees.

⁴² By *curriculum vitae* we mean the educational institutions attended and degrees awarded, the listing of academic and professional employers, scholarly and professional publications, and academic awards and honours.

Universities should negotiate with their employee unions or associations to create rules on consulting and to guide staff and administrative members who have a significant interest in research or other corporations that may do business with the university.⁴³ The academic staff should report all their research undertaken on university premises or that they wish considered as part of their official personnel file in an annual report which should indicate the sources of funding. A combined report for each faculty should be submitted to the senate. We do not think that the university should vet or control funding sources, but the research community and the general public has a right to know the nature of these sources and to draw its own conclusions.

Academic staff representatives on the board of governors should be excluded from discussion of the negotiating position of the board in relation to their contracts although the academic staff and student representatives should be encouraged to participate in all other discussions of the policy of the university.

However, conflict of interest is a complex subject. It is possible to devise rules that are so sweeping that they make it impossible, for example, for universities to maintain research parks which encourage private corporations to set up in their precincts precisely to encourage interaction between the private sector and the university.

It is also important to focus the rules on significant matters, not on trivia lest the university sink in a mire of litigation or drive its professors to other jurisdictions. The search for total purity can be self-destructive, and some minor conflicts of interest or other insignificant biases may have to be tolerated because the costs of doing otherwise would be unreasonable.

RECOMMENDATIONS

- 1. The meetings of boards of governors and of senates should be open except for specific items dealing with property transfers, discipline or bargaining positions and that the results of discussions on these matters should become public as soon as reasonably possible. We oppose the practice of some boards of governors of declaring that most items of consequence on the agenda are secret, thus eviscerating the role of faculty and student representatives on the board who cannot then report to their constituencies.**
- 2. The line budget of the university should be an open document including the salaries of faculty and of management. It should be tabled in the senate.**
- 3. The curriculum vitae of faculty and of management, as submitted by them to the university, should be open documents. On the other hand personal and medical files of faculty, students and management need to be private and various assistance programs, whether EAPs or AIDS testing, can only work within the context of absolute privacy.**

⁴³ See for examples, CAUT, *Policy Statement on Conflict of Interest*, 1988; CAUT, *Information Paper: Conflict of Interest*, 1991; American Association of University Professors, *Statement on conflicts of interest*, Washington, D.C., U.S.A., 1990; Harvard University Medical School, *Conflict of Interest Guidelines*, Boston, U.S.A., 1990; Harvard University Faculty of Arts and Science, *Principles and Policies that Govern Your Research and Other Professional Activities*, Boston, U.S.A., 1989.

4. **The university should be pro-active in ensuring that the debates of its board of governors and of its senate reach the maximum audience within the university community and beyond.**
5. **Every university should adopt a conflict of interest policy to cover the board of governors, the academic staff and the administration. The guiding principle of such a policy should be public disclosure and withdrawal from discussion of the item in question. Where such a policy involves academic staff or other employees, it should be negotiated with the faculty association and where appropriate with the other unions on campus (see text for details). The university should also negotiate a policy on consulting with the faculty association.**
6. **Individuals who work for corporations with a significant ongoing business relationship with the university such as law firms and insurance companies should not serve on boards of governors, and administrators who deal with insurance and pension carriers should receive the same pension or insurance treatment as other employees.**
7. **The academic staff should report to the department and the senate on a regular basis the academic and professional research undertaken by them as well as the funding sources for this research. There should be no attempt to proscribe funding sources but transparency requires that this information be open.**

7. A NATIONAL SYSTEM OF ACCREDITATION

7.1 The reasons for a system of accreditation

Above and beyond the issues discussed above, we think that there should be an independent national system of institutional accreditation to ensure quality and academic standards. By institutional accreditation we mean a process which reviews the entire operations of a university, not a particular faculty or just the academic programs. We think the university community should take the initiative. Why do we think this should be done?

Universities must be accountable locally and nationally

We recognize that many universities have adopted mission statements and taken other steps to make their operations clear and accountable locally. We commend these steps, but we doubt that they will by themselves convince governments or the general public. There is a certain scepticism in the land about self-policing professionals with which the university community has to deal in order to preserve its autonomy. We think that this scepticism can be allayed by combining local accountability measures with a national system of accreditation. Such a system would require the universities to convince a national body, not that they were identical to every other university, but that they were genuinely fulfilling the mission statement and educational role that they themselves had adopted.

Institutional versus professional accreditation

We also think that institutional accreditation is necessary to balance the claims of individual professional bodies who tend to insist that more and more of the revenue of the university be spent on their concerns and consequently less on the general undergraduate program. There are clearly two sides to professional accreditation. One concerns the standards of the profession, but the other function is to act as a lobby for increased spending by the university for that particular profession. This latter fact of life has encouraged a proliferation of such bodies provincially, nationally and internationally.⁴⁴ Institutional accreditation will assist universities in resisting the unnecessary proliferation of such bodies. There is, of course, a significant cost to the universities when such reviews take place, particularly in terms of the use of the time of expensive personnel.

More importantly, however, institutional accreditation will be much more attuned to the question of good teaching in the university as a whole and the quality of the student experience at the institution.⁴⁵ It would also balance the focus on publications which is a feature of many university appraisals. It would cover the whole range of university services including academic programs, libraries, laboratory facilities, student services, and the quality of administration, not as in the United Kingdom where the focus is mainly on teaching.

The system is becoming less homogeneous

Another important reason for accreditation is that the Canadian university scene is becoming far less homogenous than in the recent past. Until the sixties the Canadian university system was small and was much more homogenous than the American one. For many years membership in the AUCC seemed a reasonable test in lieu of accreditation. Politically this is no longer viable because the system has grown so much, is much more diverse, and because of the demands for more independent accountability. Furthermore AUCC does not require a commitment to academic freedom and pluralism as a condition of membership.

There is a clear example of impending problems in British Columbia and Alberta. In British Columbia the community colleges have for some time taught the first two years of university programs. Recently four of these colleges have been transformed so that they now teach a complete four-year undergraduate program in addition to their non-degree offerings. It seems likely that this model will spread to Alberta and perhaps to other provinces. How then will the courses be accredited? In the short term in British Columbia the

⁴⁴ "CAUT examines accreditation concerns", *CAUT Bulletin*, February 1992.

⁴⁵ See for example, "Specialized Accrediting Agencies Challenged by Campus Officials", *The Chronicle of Higher Education*, 18 September 1991: "Some higher-education officials worry that the emphasis that accrediting groups place on professional schools draws attention and money away from general education and the core curriculum". The Vice-President for Academic Affairs on the University of Georgia is quoted as saying that professional accreditation is only needed in those fields where the safety of the public is at stake.

courses in the four year university colleges are linked to the established universities, but in the near future the colleges will be independent. We have no doubt that the colleges will find dedicated and qualified faculty, but will the province fund the institutions so that they effectively offer university education? Who will judge? Should it be left to the universities in British Columbia to accredit them or their courses when they might well have a conflict of interest in making the decision? Should it then be left to the government or its civil service who might also have a conflict of interest albeit a different one, namely either to justify their original decision or to sanction programs that they are not prepared to fund properly.

The trend in the United Kingdom and Australia is also bound to have some effect on decision-makers in Canada. In the United Kingdom the government has by decree renamed all the polytechnics as universities and thereby more than doubled the number of these institutions. In Australia the colleges of further education have been amalgamated by government action into the university system. In the United States at an earlier date many teachers' colleges were transformed into state universities. It is hard to believe that the political pressures that produced these decisions to expand the university system to include many more institutions than was previously the case will not be replicated in Canada, particularly since the process has already started in this country.

Special interests and local boosterism

In addition to the question of the status of community colleges, technical institutes and related bodies, there are other institutions who wish to be classified as universities and who have considerable political punch with legislatures and governments. Bible colleges, business groups, and various special interest groups all want to operate universities. How will that decision be made and will it be made on educational grounds or political expediency? Will such institutions guarantee academic freedom and academic quality? There are already a number of such institutions across Canada who are pressing for this status.

There will also be strong pressures brought to bear by local municipalities, business and professional leaders to support such initiatives in their locality, partly for reasons of civic pride and partly for the hard-headed reason that universities have a significant economic impact on the communities in which they are placed and are less likely to close down or move to the United States or Mexico. How are politicians and civil servants going to test the quality of the education likely to be offered by such institutions?

Balkanization

Without an initiative on accreditation, we also think it is inevitable that each province will step by step set up its own accrediting structure. Ten different accrediting standards in a country with a population as small as Canada defies common sense and flies in the face of the needs of the country to face the reality of international competitiveness in higher education as in all walks of life. Provincial accreditation could also ultimately lead to the break-up of the current common market in Canada for the hiring of professors by imposing different job requirements. Canada cannot afford balkanization in higher education precisely at the moment the European Common Market is rapidly moving not only towards mechanisms for the mutual acceptance of each other's degrees but is also encouraging both the movement of large numbers of students and faculty within the Common Market and the ability of graduates to work in any of the various countries.

British Columbia and Alberta have created structures to deal with first and second year transfer arrangements between community colleges and universities. We do not think that this model should become the norm

partly because we think it will grow into a fully-fledged provincial accrediting system both for universities and for community colleges and partly because it is too close to governments. That is why we do not support Stuart Smith's recommendation that the CMEC create a national body to coordinate the work of these provincial agencies. We think that this will likely develop into a national accrediting body controlled by the ministers and their civil servants, and not by the institutions of higher education.

Free trade with the United States

Free trade with the United States will inevitably mean that the current attempts of institutions in the United States to operate in Canada will grow. On what grounds may a minister either agree or turn down these demands, particularly if they are supported by Washington as they will likely be if Canada/U.S.A. quarrels over the steel, timber and plywood for example?

In such circumstances it seems unlikely that strict protectionism will not win out. It would certainly be helpful to provincial ministers who have to decide whether or not to grant the title of university to particular institutions to have national accrediting bodies which could vet the legitimacy of the offerings of such bodies and take the heat for negative decisions.

Foreign students

National accrediting would also help Canada towards a coherent policy in regard to foreign students because it could ensure that they would receive straight-forward information on accreditation from one source. An accrediting agency could take up the functions of the Canadian Information Centre for International Credentials which the Council of Ministers of Education is currently setting up as a clearing house in regard to foreign degrees rather than as a vetting agency.⁴⁶ These functions would be better done by a private and independent corporation linked more directly to the universities.

7.2 Accreditation in the United States, academic auditing in the United Kingdom and the Ontario Council on Graduate Studies

The United States

In the United States the universities took on this responsibility many decades ago. They did so because they believed that a voluntary and independent accreditation system would more likely raise standards while reflecting the diversity, the independence and the decentralized nature of the American university system. In the United States there are six regional accrediting commissions which between them cover virtually the entire country. These are regional precisely to ensure that the universities and colleges of a particular state do not become the prisoners of their state government and to allow a sensible scope for comparison between institutions. They are private and independent so that they can resist political patronage pressures to declare institutions to be universities when they are not. In this sense they act as a counterweight to local boosterism. They survey the entire university: its teaching, research, administration, student services, financial structure, and the state of its academic freedom. They derive their clout from the decision of the federal government

⁴⁶ *Information Note on the Canadian Information Centre for International Credentials*, Council of Ministers of Education, Toronto, n.d

to give financial support only to students in accredited institutions. Accreditation is not permanent, and each institution is normally reviewed twice every decade. Critics argue that the associations are not independent enough or tough enough, but it would appear that their approach requiring explicit mission statements followed by detailed, formal and written self-study to demonstrate to outside evaluators whether or not the institution is meeting its goals has had a considerable impact.⁴⁷

The American Congress debated this year whether or not it should replace the existing accrediting agencies with state bureaucracies for the purposes of federal aid to students. In the end the Congress wisely chose not to change the system in this way although did require the accrediting agencies to report on default rates compliance with student aid rules.⁴⁸

The United Kingdom

We should also learn from the British. The Vice-Chancellors set up the British Academic Audit Unit in 1990.⁴⁹ It was too late to resist the full attack of the politicians and the central government bureaucrats. The Academic Audit Unit has, however, won the support, initially grudging, of the British Association of University Teachers. Without that support the system would probably have collapsed because it would likely have been perceived simply as a management ploy to reduce salaries and increase hours. The Academic Audit Unit operates in some ways like the American system in the sense that academic audits start with a self-analysis followed by a visitation from external academic auditors to see whether or not the mission or goals of the university have, in fact, been realized. The result of the process, however, is an academic audit report to the institution, not an accrediting decision. That report is designed to show whether or not the university has itself put in place effective structures to ensure quality in regard to undergraduate and graduate education. The unit, therefore, does not inspect courses or teaching or validate courses, programs or universities.⁵⁰

The terms of reference do not include research but do extend to the functioning of master's and doctoral programs. Evaluation of research is carried out through an entirely separate structure. This simply polarizes the distinction between research and teaching rather than bringing them together as we think proper and rational. This separation is a serious liability, and we strongly recommend that any national accrediting agency adopt the more wide-ranging mandate common in the United States. Furthermore the audit does not examine the funding or effectiveness of the university library or student services nor does it deal with the quality of the administration apart from the question of the effectiveness of the teaching mission.

⁴⁷ See David Riesman, *On Higher Education*, Jossey-Bass, U.S.A., 1981, ch.10, "Protecting Students by Voluntary Action: Regional Accrediting Associations".

⁴⁸ *Chronicle of Higher Education*, 5 August 1992

⁴⁹ The Vice-Chancellors have recently created a new structure called the Higher Education Quality Council. The audit unit has become one of three branches of this organization.

⁵⁰ Peter R. Williams, *The CVCP Academic Audit Unit*, Birmingham, U.K., n.d. See also Higher Education Quality Council, Division of Quality Audit, *Audit Method and Procedures*, May 1992 and *Notes for the Guidance of Auditors*, August 1992.

The Audit Unit is completely separate from the program of research on teaching effectiveness created by the Vice-Chancellors at the University of Sheffield. This too was perhaps a mistake because it allowed the government through the state funding councils to try to take over this area. The current restructuring of the Audit Unit seems likely to bring the two processes closer together in one organization but with autonomous sections. At the time of writing it would appear that the HEQC would contract out some of this work, perhaps to Sheffield. The Canadian accrediting bodies which we are suggesting should have the funds to contract with the universities to ensure continuous funding of research on teaching effectiveness but this function should remain separate from the accrediting or auditing unit.

The result of the debate on accountability in the United Kingdom has been to produce a ridiculous proliferation of competitive assessment agencies.⁵¹ The national government has mandated the funding councils for England and Scotland to set up their own procedures to vet the quality of courses offered in the universities. Quite how they are going to do it, given the 25,000 or more courses offered annually in England, remains to be seen. Indeed at one point the government was thinking of adding yet another by making the universities subject to Her Majesty's Inspectorate of Schools. If the trend continues British academics will have no time for teaching or research because their days will be fully taken up filling out forms for all these agencies.⁵² Canada should avoid this type of bureaucratic empire-building and can do so by restricting institutional accreditation to the national level as we have suggested.

The funding councils separately rate university research by department or faculty as well as by giving a general rating for each institution. This process relies heavily but not exclusively on quantitative measures - the number of publications, the number of graduate students, money received for research, etc. Funding follows the ratings. Not surprisingly the richest and most famous institutions are discovered to be at the top (Oxford, Cambridge, London). There is, therefore, a distinct tendency to reinforce the *status quo*.⁵³ We consider that ratings exercises such as these are largely a waste of time and resources.

We should not, however, slavishly copy the Americans or the British. There have been criticisms of the American system which we should heed, in particular the charge that the commissions by focusing on how the institutions carry out their own mandate or mission are not selective enough. There obviously has to be some balance between self-study and quantitative measures (how many books in the library, how many seats in the laboratories, etc.). But bureaucrats should also be aware that a study undertaken as long ago as 1928 for the North Central Association, when that Association relied almost exclusively on formal quantitative measures, indicated that "there was no substantial correlation between these quantitative measures and what sagacious and knowledgeable observers would agree was educational excellence".⁵⁴ Other critics have suggested that although one of the criteria for most of the commissions is a commitment to academic freedom, this has not always been enforced. The openness of the process and the role of faculty in the process have been the subject of debate⁵⁵ as have been questions of pluralism and diversity.⁵⁶

⁵¹ "Thinking Through Quality", *The Times Higher Education Supplement*, 31 January 1992.

⁵² See the critical remarks of the Chair of the HEQC, *ibid*, 18 December 1992.

⁵³ *Ibid.*, for the current ratings.

⁵⁴ Reisman, p.330

⁵⁵ "The Question of Accreditation by Faculty: A Report from Committee D", *AAUP Bulletin*, winter, 1970; "The Role of the Faculty in the Accrediting of Colleges and Universities", *AAUP*

Ontario Council on Graduate Studies (OCGS)

The Council of Ontario Universities, which represents university presidents in the province, has had in place for many years a province-wide appraisal system at the graduate level. It is one of the few examples in Canada of an appraisal system created by the universities themselves. In 1985 the Ontario Council on University Affairs (OCUA), the provincial government's advisory committee on higher education, struck a committee, chaired by Professor J. Stefan Dupré, to review this system of graduate appraisals. It found that the process produced "...reliable and credible judgements of the academic quality of existing and proposed graduate programs in Ontario." This is a view widely held in the province. However, there are some critics. One problem is the appeals mechanism. CAUT has always been sceptical of appeals systems that were not completely independent and have only the power to refer back to the original decision-makers as is the case with OCGS. Professor Michael Skolnik has argued in favour of reform of the OCGS system because, he suggests, it is secretive, run by a clique of graduate deans, promotes intellectual conformity, applies criteria that denigrate teaching and service, and is not related to the mission and goals of particular institutions. He prefers the American system of accreditation which focuses on the different missions of each university.⁵⁷

7.3 The structure of a national accrediting system in Canada

How should accrediting be structured in Canada? In the United States, for example, the North Central Commission is composed of fifteen commissioners, three representative of the public and twelve broadly representative of institutions of higher education that are members of the association. The commissioners who represent the public may have no current active affiliation with any of the member institutions of the association. In our view the university administrations have too large a share in this structure. The same is true of the British Academic Audit Unit which is governed by a body composed of eight vice-chancellors and four outsiders. Such structures give plausibility to the charge of cosiness whether merited or not.

We believe that there should be two significant differences between the structures we propose in this country and those of the United States and of the United Kingdom.

Bulletin, summer, 1968.

⁵⁶ See, for instance, "Limits Are Suggested on College Accrediting Group", *New York Times*, 23 Nov. 1991. Also Robert H. Atwell, President, American Council on Education to the Hon. Lamar Alexander, Secretary of Education, 30 August 1991; Kenneth L. Perrin, President, Council on Postsecondary Accreditation, *Comments Concerning the Secretary of Education's Remand of the Petition of the Commission on Higher Education of the Middle States Association*, 25 July 1991.

⁵⁷ J. Stefan Dupré, George A. Harrower, Marc-Adélar Tremblay, *Report to the Ontario Council on University Affairs on an Assessment of the Appraisals Process*, Toronto, 1986; Michael L. Skolnik, "How Academic Program Review Can Foster Intellectual Conformity and Stifle Diversity of Thought and Method", *Journal of Higher Education*, Vol. 60, No. 6 November/December 1989. Also *OCUFA Forum*, Jan./Feb. 1986; *Toronto Star*, 24 March 1988, and a letter to the *CAUT Bulletin*, Oct. 1989.

We think that the question of openness is crucial. The agencies in the United States are fearful that openness will lead to loss of candour or perhaps to libel actions against them by institutions or sub-groups within them. The reports of the British Academic Audit unit are private to the institution concerned, but the universities are encouraged to publish them. Most do so. In the Canadian context we think such reports should simply be published. We recognize that preliminary versions may be circulated privately for comment and possible correction, but the final product should be public.

We believe that if a national accrediting body is created in Canada, it should seek legislation to restrict judgments in libel cases to the correction of proved errors.

The second principle is that the public interest has to be more effectively represented than is the case either the accrediting bodies in the United States or with the Vice-Chancellor's Academic Audit Unit in the United Kingdom. We do not think that representatives of the public interest should predominate, but we think that they should be clearly independent of the university interest and sufficiently numerous to have a real impact.

We suggest as a basis for discussion that in Canada the commission be composed of fifteen persons, six chosen by the AUCC, two by CAUT, one by the Canadian Federation of Students, the heads of the three federal research granting agencies and three chosen by the Council of Ministers of Education. None of the latter should be employees or board members of universities, university students, politicians currently serving in legislatures, or civil servants. The same strictures should apply to two of the AUCC nominees and one of the CAUT's. The representatives chosen by the Council of Ministers of Education should be chosen expressly to represent the public interest as should two of those chosen by the AUCC and one by the CAUT. The largest block of members on the board should be chosen by the presidents because they will be key to ensuring the creation and functioning of such a system. Every effort should be made to ensure that both qualified females as well as males are chosen. Failure to do this will seriously impair the credibility of the new agencies.

The leadership of the anglophone and francophone universities would have to agree on this or a similar structure. If they could not do this, it would become regrettably necessary to create two national accrediting bodies, one for English institutions and one for French.

Another possible route would be for the creation of regional accrediting agencies in the West, Atlantic Canada, Ontario and Quebec with a national co-ordinating body.

Such a national body exists in the United States in the form of the Council on Postsecondary Accreditation (COPA) which was founded under another name in 1949. Such a structure, however, would be unnecessarily cumbersome and expensive, and might well lead to endless discussion about minority language rights in each regional group. The local pressures to move in this direction should be resisted even though at first glance it may appear to be the Canadian way, i.e. the creation of five bureaucracies, or even better eleven or twelve, when one or two will suffice.

We found it regrettable that the AUCC, in commenting on the draft interim version of this report, seemed unsympathetic to our ideas on national accreditation. We hope that they will change their minds. However, if they do not and if the organization representing boards of governors is of a similar view, CAUT should consider approaching the Council of Ministers of Education directly.

7.4 The financing of a national accrediting system

How would such national agencies be financed? In the United States the accrediting commissions are financed by the universities in the region who are members. The North Central Region, based in Chicago, in 1990/91 estimated the cost of their services over six years including annual fees and three team evaluations

(every second year) to be \$25,460 for an institution with 750 students and one campus, i.e. about \$4,250 a year in 1990/91 dollars. To this one must add the expenses incurred by the members of the evaluating team and the costs to the university, particularly in time allocations, of carrying out the operation.⁵⁸ The British Academic Audit Unit cost in total £450,000 in 1990/91 which was paid by the universities. It did not include the cost of the seconded auditors' time nor the considerable expense to the local institution arising from audit visits. If this system were to be replicated in Canada, provincial governments would have to accept the fees of the accrediting agency as a reasonable and new charge on the public purse which should be met with an additional appropriation. Costs in Canada would undoubtedly be higher because there are fewer institutions to share the load and national agencies, such as we are suggesting, would have higher travel, phone and fax costs.

We suggest that the start up costs for the first five years be paid equally by the Council of Ministers of Education and the Secretary of State since both levels of government have expressed a considerable interest in excellence in higher education and they currently fund the Canadian Information Centre for International Credentials. This period would allow a reasonable schedule for the first round of site visits. After five years the universities should pay the costs themselves. Accreditation should, of course, then only be available to those universities that pay the fees.

7.5 Conclusion

There is in Canada no institutional accrediting system for entire universities, as distinct from individual professional faculties or graduate faculties, as exists in the United States nor any national academic audit as has more recently developed in the United Kingdom. The consequence is the rise of pop versions such as the now annual survey of Canadian universities by Maclean's which acquires greater credibility precisely because the universities offer no alternative.

We believe that the Canadian university community should create a system of accreditation based on but different from those which have developed in the United States and, more recently, in the United Kingdom. Professional accrediting will remain for areas such as medicine and engineering, but we are recommending the creation of a body or bodies that will accredit entire universities as institutions, not just subsets of them. We think that the accrediting system should be national in scope and in a form acceptable to both the English and French-language institutions. The system should be private in nature, owned by the universities but with a substantial non-university component in their governing bodies.

This proposition is a major challenge both to the presidents and the entire university community. Do the universities have the will to be self-governing? They talk all the time about autonomy, but in our view autonomy can only be justified if the universities are genuinely and honestly self-regulating. If national systems along the lines we are suggesting are not created by the university community, we expect that sooner or later the regulation of the academic side of the university will be taken over by provincial ministries. No doubt there will be a gradual slide rather than a revolution, but the result will be disastrous. One only has to look at the Funding Council for England, a bureaucratic state-controlled institution which is now in control of the measurement of the quality of teaching and, in effect, has defined the major criterion to be cheapness. Quality is defined as having the lowest cost per student. The reward for the winners is to be given more

⁵⁸ North Central Association of Colleges and Schools, Commission on Institutions of Higher Education, *A Handbook of Accreditation 1990-92*, Chicago, 1990.

students. The reward for the losers is to get less money so that they will spiral downwards. Such are the benefits of state control.

As Gareth Williams noted in the *Guardian*: "The only way to get more government money will be to pack in ever more students or to concentrate on research. The main weakness of this approach is that quality as well as costs are likely to be driven down and there are obvious dangers in quality assessment being owned by the funding agency that itself has a vested interest in reducing costs...it seems not at all unlikely that pressure to reduce costs to a standard level in all universities will benefit those that are relatively undemanding of their students"⁵⁹

RECOMMENDATIONS:

- 1. The Association of Universities and Colleges of Canada should take the initiative in creating a national system of accreditation in Canada. If AUCC fails to do this and if the organization representing university boards of governors is uninterested, the CAUT should approach the Council of Ministers of Education directly.**
- 2. AUCC should secure the agreement of the CAUT and CFS before proceeding with specific proposals on accreditation.**
- 3. The accrediting agency should be a private institution owned by the universities but with substantial public representation on the board of governors and should operate at arm's length from the AUCC.**
- 4. One possible model would be to have a governing body composed of fifteen members: six nominees of the Association of Universities and Colleges of Canada, two by the Canadian Association of University Teachers, one by the Canadian Federation of Students, three by the Council of Ministers of Education as well as the heads of the three federal research granting councils. In this model six of these nominees should represent the public interest in the sense that they are not university employees or students, civil servants or elected politicians (for details see the text).**
- 5. The leadership of the anglophone and francophone universities would have to agree on a structure for a national accrediting agency. If they could not do so, there would have to be two agencies, one English, one French.**
- 6. The accrediting agency should develop its own procedures based on the model of academic self-analysis by the institution followed by academic and administrative auditing by outside experts chosen by the agency. The process should reflect a blend of self-analysis with objective criteria established by the agency. The decision to accredit or not should be entirely the responsibility of the accrediting agency.**

⁵⁹ *The Guardian*, 14 July 1992. Prof. Williams is a faculty member at the Centre for Higher Education Studies of the University of London and author of *Changing Patterns of Finance in Higher Education*.

7. **The mandate of the accrediting agency should include the review of an institution's academic offerings, teaching, research, libraries, student services, community services, the level of academic freedom, non-discrimination, and diversity plus the effectiveness of administration and financial systems.**
8. **The process of internal self-analysis should involve the whole university community and not just the senior management. Outside academic auditors should be free to meet and discuss with anyone they wish on the campus and should be required to meet with the presidents of the faculty association and of the student union and with the elected leadership of those organizations which represent women and minorities on the campus.**
9. **The final report of the outside experts should be open. The agency should seek an amendment to the Canadian libel laws to restrict libel judgments against them to the public correction of proved errors.**
10. **The accrediting agency should be financed for a start-up period of five years jointly by the Council of Ministers of Education and by the Secretary of State. Thereafter it should be financed by the universities, and the provinces should recognize the cost as an additional new expense that should be funded from new money.**
11. **The national accrediting agency should take over the work of the Canadian Information Centre for International Credentials.**
12. **Federal and provincial scholarship and loan funds intended for university students should only go to those attending accredited institutions. Such funding should, therefore, be distinguished in the government accounting process from scholarships and loans for community college students taking non-university courses and for those attending private trade schools.**

8. ACCOUNTABILITY FOR TEACHING

8.1 Teaching versus research

Good teaching in the university is driven by the desire for new learning which, in turn, is based on research and scholarship. Innovation-based teaching cannot exist without research and scholarship, precisely because it is these activities which make the learning innovative. That is why teaching and research are inextricably linked within the university, a duality which distinguishes the university from both the high school and the research institute."Research defines the content, objectives and approach of university teaching, notwithstanding the attention that must be paid to teaching strategies. It is present in every classroom or seminar interaction, either by virtue of the readings and lecture material or in shaping the discussion of materials and relationships between faculty members and students."⁶⁰

That is why the dichotomy posed by Stuart Smith between research and teaching is not only wrong-headed but counterproductive. If we are going to develop methods of assessing teaching, we must, of course, assess

⁶⁰ Liora Salter, *Thoughts on University Governance*, paper for the CAUT Independent Study Group, 1992.

what university teaching actually is. If we separate research, scholarship and teaching into different compartments and conduct assessment accordingly, we will not get useful results. Inevitably teaching will be measured by class size, drop-out rates, degree completions, the number of students taught per faculty member, and the number of classes for which the professor was late. All of this data may be interesting but none of it will tell us whether university learning has taken place.

Stuart Smith was also wrong in focusing on assessment and giving only a passing nod to faculty development. Faculty development programs are the pro-active way of ensuring that faculty are encouraged to innovate and to improve. Part of faculty development involves teaching effectiveness (see below). It should include assistance in developing research programs and marrying this research work to the undergraduate and graduate curriculum. It should also encourage explorations of how departments can incorporate the experience of women and those from cultures outside North America into the curriculum. Faculty development programs have been seriously neglected and underfunded in most Canadian universities.

8.2 Evaluation of Teaching

We were not commissioned to deal in depth with the debate over teaching assessment. However, we do think that there should be forms of teaching assessment that ensure accountability.

Faculty members themselves should be encouraged by department heads to create teaching dossiers as recommended by CAUT. This would allow them to lay out the nature and methodology of their course and the ways in which their goals have been achieved. That methodology can be evaluated by other professors in the same field. Through their dossier faculty can demonstrate their interest in pedagogy in their field through research on these matters and comparative study of the approach of other institutions. Academic judgment is involved, not simply bean counting. This approach also allows assessment to be tailored to particular learning experiences rather than statistical categories of assessment.

Departments can create a climate where not only is good teaching highly regarded but where there is an ongoing formalized discussion of teaching techniques. This in turn would mean that members of the department would be able to assess teaching by a combination of site visits and discussions with the professor in question, a more meaningful exercise than an occasional casual visit to watch a class in progress.

Most universities now have some form of student evaluation. We think that such evaluations are appropriate provided universities understand their strengths and limitations and that there is debate about both about their use and about particular models. Student evaluations should be used in conjunction with the other forms of assessment noted above, and should be balanced by other indicators. It is possible for students to confuse performance with substance and for those forced to take compulsory courses to vent their displeasure on the professor who teaches them. Where student evaluations are used in faculty assessment procedures, they should be used consistently and fairly for all the members of a particular department or faculty.⁶¹

University administrations should negotiate the form of the student evaluation with their faculty associations. Experience suggests that the most effective evaluations are frank but private interchanges between faculty and students. Thus student assessments should be in two parts, a purely statistical assessment for the purposes of faculty administration and a more subjective one for the eyes of the professor only. Of course in addition to class assessments students should be free, as anyone else in the university, to testify in promotion or tenure

⁶¹ Bernice Schrank, "Tenure Trap", CAUT *Bulletin* September 1992, p. 14.

hearings. It is important, however, that this not be done anonymously. Most students are legally adult. They long ago rejected the notion of the university as being *in loco parentis*. They should take adult responsibility for their individual actions. In any event no one should be allowed to make anonymous denunciations which could ruin the career of a faculty member.

The results of the full range of teaching evaluation as noted above should be given substantial weight in decisions relating to promotion, tenure, and merit increases.

8.3 Centres for teaching effectiveness and teaching awards

There is already in existence a range of university centres both for the study of teaching effectiveness and for the provision of assistance to faculty in the use of new techniques. There is also a network of those involved in these centres. We think these developments should be encouraged provided such centres are created to improve teaching and not simply to be punishment camps. CAUT itself has been remiss in not involving itself in this development in a serious way. Teaching centres should be jointly operated by the administration and by the faculty association. They should be staffed by outstanding teachers drawn from the various disciplines to assure attention to academic content as well as to pedagogy in instructional development programs.

One particular function of these centres should be to work with departments in faculties of graduate studies to produce programs of training in university teaching for those students who are planning an academic career.

Universities have traditionally been much more willing to commit funds and staff to create research centres and to assist faculty to secure research grants than to improve undergraduate and graduate teaching.⁶² The federal and provincial governments also need to provide extra funding in order to make these operations more effective. We note that Alberta has already done so.

Provincial governments frequently hail new technologies but are not always quite so willing to fund university production centres for the creation of Canadian videos or films and the purchase of videos, films and computer programs for student, faculty and classroom use. We think that they should put more resources into this area.

We note that a number of teaching awards have been created across the country, some by provincial faculty associations such as OCUFA or by alumni(ae) and others by private benefactors such as 3M and the Fulbright Foundation. We think these are useful and should be created in jurisdictions where they do not exist.

Output measure programs

Some American states have mandated output measurement programs. This is a fancy way of saying that universities should administer standardized tests on entry and exit to measure the value added by the education. This sounds seductive. Nothing, however, could be more deadening than standardized testing. It inevitably leads to standardized curricula, standardized reading lists and standardized thinking. We think that our proposal above for accreditation is a much more sensible way of meeting the concerns about the quality

⁶² Fred Wilson, "University presidents riding coat-tails of Smith's shabby research", *CAUT Bulletin*, January 1993.

of undergraduate education, preserving the variety of university life, and encouraging universities to develop techniques for evaluating teaching relevant to their own mission.

A variant of this is Stuart Smith's call for an exit test of writing skill. We certainly support those universities such as the University of Winnipeg who have introduced effective writing programs for undergraduate students. A fair number of universities have remedial language programs of one form or another. Special arrangements for peer tutorials need to be created to ensure that students from populations which have not traditionally entered university can find their feet in the new milieu. However, to spend \$4 million on a standardized exit test seems to us a misallocation of resources and fails to understand that the style and function of writing within the university depends very much upon the discipline or profession chosen. Writing for history students is not likely to be the same as writing for engineering physicists. Standardized testing would not take this into account.

RECOMMENDATIONS

- 1. Universities should have vigorous and creative faculty development programs. These should be centres for new ideas in teaching and curriculum development, not simply punishment camps. They should be the subject of negotiation between the university administration and the faculty association and should be jointly operated by them.**
- 2. Any assessment program for university teaching should recognize that teaching and research are inextricably linked within the university and should give more weight to professional judgment than to mechanical analysis.**
- 3. Departments should create a climate not only to support good teaching but to encourage debate and discussion about teaching methods and evaluations. This should lead to a more sophisticated evaluation of teaching by colleagues through a combination of site visits, discussion and examination of the teaching dossier. Other professionals can be involved in this assessment as well.**
- 4. Individual faculty members should be encouraged to create their own teaching dossiers to demonstrate the nature of their courses, their methodology and the successes they have had in achieving their goals.**
- 5. University administrations should negotiate with their faculty associations the creation of formal student evaluations of courses, but should balance these with other forms of assessment.**
- 6. The results of the full range of teaching evaluation as noted above should be given substantial weight in decisions relating to promotion, tenure and merit increases.**
- 7. Universities should create centres both for research on teaching effectiveness and for faculty development. The creation of these centres should be negotiated with the faculty association, and research centres or programs should also be approved by the senate.**
- 8. Teaching awards such as those sponsored by OCUFA, 3M, and various alumni(ae) groups are useful and should be created in jurisdictions where they do not exist.**

9. **University administrations should provide more resources for the support of undergraduate and graduate teaching. The federal and provincial governments should provide additional funding for university centres for teaching effectiveness both for research and for the subsidy of video production centres and the purchase of film, videos and computer programs for student, faculty and classroom use.**
10. **CAUT should become more seriously involved in the development of the network of centres of teaching effectiveness.**
11. **Universities should provide more effective training in university teaching for those graduate students who intend to take up university teaching careers.**

9. ACCOUNTABILITY FOR RESEARCH

Research and scholarship is the other fundamental element of university life. It is one of the duties and responsibilities of senates and academic faculties to defend the autonomy of the university research effort and to ensure that the university commitment to basic and independent research is maintained and developed. Senates and academic faculties should ensure that research is not narrowly defined but includes all scholarly activity including the development of innovative courses and programs. It is also important for the university community to ensure that its research is safe, honest and above board.

9.1 Safety in research

The public has a right to be certain that university research does not endanger researchers, their staff, students, the human subjects of research or the general public. This is of particular although not exclusive importance to the medical and natural sciences and engineering. It is also an issue that transcends the university itself since, in part, it is addressed by the codes developed by the professions and, in part, by provincial and federal safety and employment laws. In addition the Medical Research Council has developed requirements for research involving human subjects, biohazards, and gene therapy. The Canadian Council for Animal Care has developed standards for dealing with research on animals. Researchers using radioactive materials must conform to the regulations of the Atomic Energy Control Board. These standards have become the requirements of all three federal granting agencies and are thus obligatory for university researchers.⁶³ The country owes the Medical Research Council a debt for developing many of these policies, but we should not be complacent. Things can always be done better.

There are plenty of new and difficult issues. And over it all hangs the dread knowledge of the twentieth century that science can be deployed for destruction and infamy, as in the Holocaust, as well as for progress.

However, it is also important that procedures developed for one field not be uncritically applied to all others. There is clearly a difference in terms of research on human subjects between the work of a medical researcher engaging in tests on humans and that of the biographer of the prime minister. A mindless application of rules developed in medical research to all other fields is likely to produce absurdity rather than progress.

⁶³ Medical Research Council, *University-Industry Grants and Awards 1991/92*, Ottawa, 1992.

Fraud and misconduct in research

It is important for universities to ensure that research undertaken within them is not only safe but honest and above board. Given the vast range of university research and its importance to the community, this is absolutely essential. It is especially important when one considers the critical function of university research and scholarship which is supposed to challenge received ideas. The public will only accept this role if it believes that this research and scholarship is honestly based. It may think it wrong-headed or perverse and occasionally it will get angry over the results, but it will continue to support it because of the need to have independent voices but only so long as it feels that is free from fraud and misconduct.

The Canadian university community is in the process of developing self-regulation in this area. This is in marked contrast to the United States where the federal government has imposed rules and regulations on the scientific community, many of which have proved to be either unworkable or unjust. We recommend that universities negotiate with their faculty associations procedures to deal with fraud and misconduct in academic research. We think that it is important that such rules focus on serious offenses and provide for fair hearings. Regrettably a minority of university presidents have proposed vague and sweeping rules which seem more designed to increase administrative power than to deal with the relatively few incidents that occur. It is important, as in conflict of interest, that any regulations focus on serious matters such as falsification, fabrication and plagiarism, that they protect honest whistle blowers, and that they provide an arbitration or the equivalent for the accused.

The University of New Brunswick has, for example, negotiated with its faculty association just such an article. It is notable that it was the faculty association that put this matter on the negotiating table⁶⁴ (see appendix B for the UNB document).

Research for Whom?

Research is for posterity. It is, therefore, important that the university defend the importance of basic and independent research without, of course, relinquishing its role in applied research.

Accountability in research poses the question - accountability to whom. There is not enough discussion of this problem in Canada. Overwhelmingly, applied research is undertaken by faculty either for private corporations or for governments. Universities need to develop effective policies to set out the conditions by which research for private corporations is conducted on the campus. Insofar as these policies deal with the

⁶⁴ See Donald C. Savage, *Fraud and Misconduct in Academic Research and Scholarly Activity*, Dalhousie Review; CAUT, *Policy Statement on Fraud and Misconduct in Academic Research and Scholarly Activity*, 1992. There is now a large literature, most of it centred in the United States. See for example William Broad and Nicholas Wade, *Betrayers of the Truth*, New York, U.S.A., 1982; A.Kohn, *False Prophets: Fraud and Error in Science and Medicine*, U.K., 1988; Thomas Mallon, *Stolen Words*, New York, U.S.A., 1989; Robert M. O'Neill, "Scientists Accused of Fraud Deserve Procedural Safeguards", *Chronicle of Higher Education*, 28 Nov.1990, and various publications of the American Association for the Advancement of Science. Memorial University has also negotiated a policy on fraud and misconduct in academic research as part of the collective agreement.

rights and responsibilities of faculty, researchers and professional librarians, they should be negotiated with the faculty association.⁶⁵

There are also a host of bodies across the country which could benefit from the expertise of the university but either cannot find it or cannot pay for it or, like many trade unions, distrust the universities as lacking independence in such areas as labour relations. On the other hand universities in Canada have spawned research groups devoted to the public sector. A variety of environmental groups such as Pollution Probe were born in the universities, but there is not an organized commitment to this type of approach to research. In Holland the central government financed the creation of university science shops which were designed precisely to make the expertise of the university available to all groups in society. A similar experiment was undertaken in Northern Ireland. We think Canadian governments and universities should investigate ways and means of adapting this approach for the Canadian situation.

RECOMMENDATIONS

- 1. University administrations should negotiate with their faculty associations health and safety standards for research above and beyond that required by law, and these should be included in faculty collective agreements or equivalent negotiated documents or policies.**
- 2. University administrations should negotiate with their faculty associations policies on fraud and misconduct in research, and these should be included in faculty collective agreements or equivalent negotiated documents or policies.**
- 3. University administrations should create effective policies to govern university/business relations. Insofar as these policies deal with the rights and responsibilities of faculty, researchers and professional librarians, they should be negotiated with the faculty association (see above - conflict of interest).**
- 4. Universities and governments should explore ways and means by which the research expertise of the university could be put at the service of a wider clientele than currently exists. In particular there should be some assessment of the science shop arrangements in Holland as a possible model.**

10. CONCLUSION: SASKATOON REVISITED

⁶⁵ There is a considerable literature on the subject of university business relations. For views pro and con, see Janice Newson and Howard Buchbinder, *The University Means Business*, Garamond Press, Toronto, 1988 and "The Service University and Market Forces", *Academe*, July/August 1992; Corporate-Higher Education Forum, *Spending Smarter: Corporate-University Cooperation in Research and Development*, Montreal, 1985. For a discussion and bibliography of the issues involved including those of conflict of interest, see CAUT, *Information Paper: University/Business Relationships in Research and Development: A Guide for Universities and Researchers*, Ottawa, 1990.

In this report, we have attempted to articulate a view of governance that is consonant with the traditional characterization of the mission of the university as the collective pursuit of knowledge involving both the students and the professoriate. It has long been recognized that this activity is moved by the dual goals of inquiry or research, on the one hand, and teaching or dissemination, on the other. Indeed, many of structural elements to be found in the modern university arose in the middle ages; in fact, some can be traced to the efforts of a group of scholars in their pursuit of the illusive goals of personal and social excellence in a dusty square of Athens in the Fourth Century, B.C., under the stony stare of the statue of the god, Academus. What has always been acknowledged is the need for the university, as an institution, to evolve structures that will both encourage and protect the free and vigorous pursuit of knowledge.

It is essential, therefore, that universities, as they seek to accommodate themselves to the vicissitudes of the times, continue to adopt systems of governance that will enable them to define and realize their essential commitment to teaching and research. This was an imperative that was clearly not lost on Messrs. Duff and Berdahl when they undertook the task of elaborating a system of internal government appropriate to Canadian universities. It is not surprising, therefore, that many of the recommendations in this report prove to be reiterations of the conclusions to which they were led twenty-five years ago. Indeed, where subsequent experience has led us to disagree with specific recommendations contained in their report, this was done to safeguard their more basic insights which we have, for the most part, adopted as our own.

In particular we agree with the emphasis in the Duff-Berdahl Report on the role of the senate as the key academic body within the university. Unlike Duff-Berdahl we think that the senate must have, not only an academic role, but also a financial one. This will give it both responsibility and authority. We think that the senate should play a much greater role in setting the terms of reference for and in the selection of senior academic administrators. The new cadre of rights officers should also report to the senate as well as to the president, and their terms of reference should be approved by the senate. We recommend the creation of an independent speaker and a senate executive dominated by elected senators. We urge a drastic pruning of the sub-committee structure of the university and its replacement with a number of standing committees of the senate including one on human rights and equity.

We think that academic self-government is particularly important at the departmental and faculty level and in the functioning of the library.

We are concerned about trends in the other direction, in particular the application of old-fashioned top-down management views on the structure of the university, sometimes expressed in a pop version of the language of the business schools. We believe that the senior academic administration should provide leadership but in a collegial fashion. Excellence does not come by command but rather by inspiring individuals and groups to work together towards a common goal.

We also think that boards of governors should be strengthened so that they can both defend the university to the general public and the government and, at the same, ensure that procedures are put in place so that the university becomes effectively accountable. We think that in many cases boards have become ciphers either beholden to their local administrators or to their provincial government.

We do not think that boards can run universities in place of administrators, nor should they try, but they should ensure that their institution and its academic administration are truly accountable.

We thus recommend the strengthening of senates, boards and academic administration but with different mandates. We think that our recommendations concerning the internal functioning of the university will enhance its academic mission and result in a more effective institution.

Where we go beyond Duff-Berdahl is in the area of public accountability. While the Duff-Berdahl Report acknowledged, in a general way, the need to ensure that the universities articulate their structures in a manner that is responsive to the interests of the public, it provided little in the way of either guidance of practical incentive with respect to achieving that end. While this was probably due to the generally optimistic spirit of the times in which it was written, it did tend to produce, as a consequence, a view of university governance that was perhaps excessively internalized. This not only exacerbated the natural divisions of town and gown, but it provided, perhaps unwittingly, an insular view of university autonomy in which a generation of academics have taken refuge against the unwelcome incursions of outside influences.

We have argued that it is no longer possible or desirable to eschew those difficult questions bearing on the accountability of the universities to their many publics. We have also argued that, in the interest of protecting their genuine autonomy, the universities themselves must take the initiative in this matter. To this end, we have made a number of recommendations, ranging from teaching evaluations to system-wide accreditation, in order to accommodate genuine public concerns.

And these concerns are, indeed, frightening in their magnitude. Some of them bear on the universities themselves; largely provoked by the difficult economic times and a general lack of policy directives, alarming proposals are emerging the implementation of which would surely gut a national system of post-secondary education which was not so long ago recognized as among the best in the world. Others bear on the students who are coming to the universities in record numbers; surely the growing number of graduates who find themselves hopelessly indentured to a lifetime of repayment is a sorry testament to a system of student aid which was presumably intended to increase the hope and confidence of a generation of Canadian students. These are issues that are immediate and compelling. They are issues that can only be successfully addressed by the university community on the basis of a truly consultative process that involves all of those persons, both within and without the university itself, who are committed to its strength and well-being.

This speaks, perhaps, to an important role for government, especially at the national level. In 1987, the Hon. David Crombie, then Secretary of State, and the Hon. Roland Penner, who was at that time both the minister responsible for higher education in Manitoba as well as the chair of the Council of Ministers of Education, collaborated on the creation of a wide-ranging forum on higher education in Saskatoon. This was an important event that brought together a wide range of people from both inside outside the precincts of the university. The participants were specifically enjoined neither to pass resolutions nor engage in rhetorical exercises. This was a singularly useful event in that it brought people together who had never before met to discuss questions of importance to the university community from a variety of different perspectives. Indeed, those present quickly parted from the prearranged agenda and came to conclusions rather different than expected, particularly the twin commitment to excellence and accessibility.

Many people had hoped that the Saskatoon conference would lead to annual events, scaled down no doubt from the opening jamboree, but based, nevertheless, on the same principles. Unfortunately, both Mr. Crombie and Mr. Penner passed from the political scene shortly after the Saskatoon conference and the initiative ground to a halt. Although, there was a subsequent meeting of the Council of Ministers of Education in Quebec City involving the ministers themselves, the Secretary of State and representatives of a variety of groups concerned with university education, that turned out to be a unique event.

One of the results of Canadian federalism is that there are few fora, especially at the national level, for the public discussion of issues relating to postsecondary education. Without that public discussion, it is unlikely that governments will be moved to raise the priorities of the universities within their cabinets. It is also difficult to understand how universities can be adequately accountable to the public if there is not open

discussion relating to their concerns and problems. These conferences would therefore, be a useful step in the direction of ensuring their accountability to the public.

There are now, however, fresh faces in the ministerial offices in most of the provinces. The time may be ripe, therefore, to revisit Saskatoon with the aim of creating an annual conference, under the sponsorship of both the Council of Ministers of Education and the Secretary of State, to which faculty members, university administrators, students and others concerned with the future of the universities in Canada would be invited to discuss issues of consequence to higher education. This is an initiative that could be of considerable importance. The pressing problems that face the universities in Canada need to be addressed. The entire system hangs in the balance.

Appendix A

Appendix B

Appendix C

Assessment in the United Kingdom

The British Academic Audit Unit was established in 1990 so that universities' structures and mechanisms for the assurance of the quality of their programs of study and the maintenance and enhancement of their academic standards could be examined by a body independent of individual institutions, but owned and managed by the universities as a whole. The cost in 1991/92 was £450,000 paid by the universities. This, as the Unit notes, "...does not include the cost of the seconded auditors' time, nor the considerable expenses arising from audit visits".⁶⁶

The terms of reference were:

- i. to consider and review the universities' mechanisms for monitoring and promoting the academic standards which are necessary for achieving their stated aims and objectives;
- ii. to comment on the extent to which procedures in place in individual universities reflect best practice in maintaining quality and are applied in practice;
- iii. to identify and commend to universities good practice in regard to the maintenance of academic standards at national level;
- iv. to keep under review nationally the role of the external examiner system;
- v. to report to the CVCP via the Management Board

The terms of reference do not include research, infrastructure such as libraries but do extend to master's and doctoral programs.⁶⁷ They do not deal with the quality of administration *per se*.

The unit is governed by a board of management consisting of some eight vice-chancellors, four members from outside the university world and the secretary of the CVCP. It operates by appointing groups of auditors who are serving academics nominated by the vice-chancellors. They are chosen on the basis of proven experience in quality assurance-related activities, geographical distribution and subject spread. The auditors are trained by the unit and debriefed by it. The unit encourages regular reunion meetings to allow the auditors to meet as a group, to discuss their concerns and to hear about new ideas.

Like the American accrediting agencies, the unit requires the university to prepare documentation. There is then a visit by a team of auditors followed by a report. The auditors are provided with a guide entitled, *Notes for the Guidance of Auditors*.

The scope of the review is as follows:

⁶⁶ Academic Audit Unit, CVCP, *Quality Assurance in universities*, pamphlet.

⁶⁷ Academic Audit, *Annual Report of the Director 1990/91*.

- i. Universities' mechanisms for quality assurance in provision and design of courses and degree programmes:
 - * having centrally planned monitoring of courses and teaching;
 - * scrutinising new courses or degree programmes (or revision of them)
 - * monitoring course design in relation to student intake and non-traditional entrance
- ii. Universities' mechanisms for quality assurance in teaching and communication methods:
 - * monitoring existing courses and degree programmes including data collection, such as student numbers, drop-out rates, classified degree results etc.;
 - * monitoring postgraduate training and research, including appeals procedures at postgraduate research degree level;
 - * seeking external examiners' views;
 - * monitoring and informing students of their progress and examination performance, including appeals procedures;
 - * promoting innovative practice in universities such as use of interactive video and expert systems.
- iii. Universities' mechanisms for quality assurance in relation to academic staff:
 - * assessing and monitoring academic staff
 - * provision for staff development
- iv. Universities' mechanisms for quality assurance in taking account of:
 - * external examiners' reports;
 - * student views on courses;
 - * views of external bodies - professional accrediting bodies and employers, etc.⁶⁸

This is clearly a much narrower mandate than that of the American accrediting agencies and noticeably does not include such matters as the state of academic freedom, methods of ensuring non-discrimination, the use and misuse of part-time faculty, the quality of student services and the like. It was a serious error to create such review mechanisms in a way which entrenches the notion that teaching and research should be separate activities although it was difficult to do anything about it since research assessment procedures predated the creation of the Audit Unit.

Nevertheless the British AUT agreed to support this development albeit with some reluctance. A representative of the AUT sat on the consultative committee, and as a consequence the unit became a forum for the negotiation of procedures and research methodology between the vice-chancellors and the AUT. In general the AUT thought that this was better than any of the alternatives, and it had the great merit of being owned by the university community itself. The National Union of Students also had a seat on the consultative committee.⁶⁹

⁶⁸ *Ibid.*,p.8

⁶⁹ Information based on telephone interviews August 1992 with John Akker, Tom Wilson and Adrienne Aziz at the British AUT, Prof. Bill Stevenson of the University of London and Prof. Ron Emanuel of the University of Glasgow, both former presidents of AUT. Prof. Emanuel is in charge

The concept of the academic audit is now enshrined in the Further and Higher Education Act of 1992 which came into force in April 1992. The government recognized the function of the Higher Education Quality Council created by the Vice-Chancellors but reserved its powers to take over the function of academic audit if the process is not to its satisfaction. The Higher Education Quality Council is divided into three parts: quality audit, quality enhancement and access/credit transfer. The first of these subsections will be the academic audit unit reborn but without its consultative committee which is clearly a mistake. The other two sections at the time of writing are still rather shadowy. Meanwhile the academic audit continues its work on a fairly large scale. The legislation also created state funding councils for England and Scotland and required them to assess the quality of teaching in English universities. The consequence is a polite but nevertheless serious British academic war in progress as to who will, in fact, be responsible for quality assessment. The main card held by the vice-chancellors is that any system other than their own is likely to cost the government more money which the government may be unwilling to spend.

All this is further complicated by the abolition of the binary divide between universities and polytechnics. Most of the latter are in the process of being rebaptized as universities, and there will be a single granting council in each of England and Wales and in Scotland for the now unified system. Prior to these developments the Council on National Academic Awards accredited university degree courses in the polytechnics through the use of Her Majesty's Inspectorate of Schools. For a while it looked as though the government might extend the scope of the schools' inspectorate to the universities. That now seems unlikely. The government has, abolished the CNAA and is privatizing the inspectorate, many of whom are now seeking jobs with the new Higher Education Funding Councils.

As noted in the text the Funding Council for England and Wales is setting up a method of evaluating the quality of teaching based largely on cost. This will be done by subject area. It is perhaps fitting that the first to be assessed in England will be business administration and law.

The Funding Council in England, in fact, tried a pilot program in the last academic year in eight subjects which turned out to be a rather heavy-handed attempt to replicate the work of Her Majesty's Inspectorate. There were plenty of objections to the method but it, in fact, collapsed because it would have cost a fortune to extend the system to all university courses. The Council is going to undertake another pilot project. It will rely on performance indicators to suggest the 10% who are worst in each of eight disciplines and the 10% who are best. Only those will be examined in depth. The Council has not at the time of writing decided what will be the performance indicators but are considering - marks at entry, wastage rates, marks during the program, and employability. Most of these seem likely to favour the established and the bland.

There is also an entirely separate exercise by which research work is assessed by discipline and departments ranked competitively. This is done by teams of academics hired by the state funding councils. This involves no site visits and is done by peer evaluation and the use of such indicators as citation indexes. It is unclear at the moment how these rankings will affect funding and whether the research funds will be spread over both the old universities and the former polytechnics.

September 1992

of the academic audit unit at the University of Glasgow. Also on visits in August 1992 to the Funding Council for England at Bristol and the Higher Education Quality Council in Birmingham. The opinions expressed are our own.

Appendix D

Institutional Accreditation in the United States

There are six regional accrediting agencies in the United States. These agencies arose in the late 19th and early 20th centuries in an effort to provide standards among the highly diverse institutions of higher learning. "Accreditation", according to the Northwest Association, "is a process of recognizing educational institutions for performance, integrity, and quality which entitles them to the confidence of the educational community and the public."⁷⁰ The Middle States Association defines its purposes as follows:

- 1) to evaluate institutions of higher education based on standards developed by the colleges and universities in our membership;
- 2) to accredit those institutions which meet standards for accreditation;
- 3) to assist institutions in as many ways as possible to improve their programs and services;
- 4) to work closely with other organizations in promoting educational improvement.⁷¹

The accrediting agencies are private institutions created by the universities and colleges of each region. They are governed by a body elected by the member institutions from currently active faculty and staff. A small number of the governing are public members with no institutional ties to the member institutions and who broadly represent the public interest.

The process of accreditation starts with a detailed self-study by the institution concerned. The agencies provide publications to guide their members on how to do this properly. For example the Middle States Association publishes a handbook, entitled *Designs for Excellence* which sets out the process of self-study and discusses the bench marks that should be considered:

- mission, goals and objectives
- institutional integrity (academic freedom, equity, diversity, community outreach)
- planning and resource allocation
- the teaching and learning process (curriculum)
- outcomes and educational effectiveness
- recruitment and admissions policies
- student services
- faculty (data, policies, participation in university governance, academic freedom, community service, opportunities for innovation and experimentation, etc.)
- governance and the governing board
- budgeting development and financial planning
- library/learning resources centre

⁷⁰ Northwest Association of Schools and Colleges, *Accreditation Handbook*, Seattle, U.S.A., 1988, p.1.

⁷¹ Middle States Association, *What is Accreditation?*, Philadelphia, U.S.A., p.2

- other resources (residences, labs, computer systems,etc.)
- plant and equipment
- innovation and experimentation

The agencies also have standards of their own which they expect the members to follow. The Middle States Association, for example, publishes a pamphlet called, *Characteristics of Excellence in Higher Education* which discusses the issues and standards involved in assessing the areas listed above. It also in the same context publishes another document entitled, *Framework for Outcomes Assessment*. Thus the process of accreditation is, in practice, a synthesis of self-study and of the application of the agency's views on proper standards. This process allows the agencies to recognize that different institutions have different purposes without succumbing to the view that the application of any standard is impossible. The standards are developed by the agency itself.

In the Middle States Association, once the self-study is finished, the agency appoints a team of expert evaluators drawn from other educational institutions both inside and outside the region. The team reads the self-study report, gathers comprehensive information about the institution during the site visit, and summarizes its findings in a written report. The team report assesses whether the institution is meeting its own goals as described in the self-study and whether it is meeting the standards of the agency. Typically the agencies provide handbooks for the evaluating committees to assist in posing questions and gathering information. The chair makes a separate report listing the recommendations and making a formal recommendation on the institution's accreditation. All the reports are reviewed by a committee of the agency and then by the full commission which takes official action on the institution's accreditation. On-site reviews and periodic reviews (which are less detailed) alternate every five years.

There is also a Council on Postsecondary Accreditation (COPA) which coordinates non-governmental accrediting activities of both institutional and professional accrediting agencies and provides recognition of accrediting bodies. COPA evaluates the agencies every five years. So too does the United States Department of Education because it relies on institutional accreditation to determine the disposition of federal funds.

This year the United States Department of Education considered new draft regulations for accrediting agencies. These were drawn up by the National Advisory Committee on Accreditation and Institutional Eligibility and would mean a considerable increase in federal government control. On the one hand the new regulations would:

- permit unannounced inspections of accrediting-agency offices and unannounced inspections of site visits;
- report to the Department and to state officials all adverse decisions on colleges whether preliminary or final;
- ensure that college retention, completion and job placement rates are reasonable with generally accepted norms;
- examine default rates on student loans.

These seem designed to make the standards tougher. On the other hand the regulations also propose:

- to force agencies to evaluate an institution only in light of its own stated purposes
- allow any ten accredited institutions to form new accrediting groups if they so desired.

These seem likely to ensure a decline in standards which suggests the perils involved in the politicization of accreditation.⁷²

September 1992

⁷² *Chronicle of Higher Education*, 12 Feb. 1992.

Appendix E

Liaison Group and Observers

The organizations which participated in the Liaison Group included the following:

Association of University and Colleges of Canada
Canadian Federation of Students
Royal Society of Canada
Social Science Federation of Canada
Canadian Federation of Biological Societies
Canadian Federation for the Humanities
Canadian Union of Public Employees
Canadian Research Institute for the Advancement of Women
Business Council on National Issues
Canadian Labour Congress
Canadian Union of Educational Workers
Canadian Library Association
Canadian Association of Research Libraries
Association pour l'avancement des sciences et des techniques de la documentation
Canadian Labour Market and Productivity Centre

Other associations participated as observers in meetings about specific issues such as accreditation and various interested parties drew different matters of interest or concern to the attention of the Independent Study Group. We thank all those who assisted our efforts. None of course are responsible for the results of this report for which the authors bear sole responsibility.