

## [RETURN](#)

### [ABSTRACT](#)

### [INTRODUCTION](#)

#### [Governance and Purpose of the Study](#)

#### [The Governance of Early American Colleges: 1636-1850](#)

#### [The Expansion of the Academy and Its Impact Upon Governance: 1850-1945](#)

#### [Faculty and Student Influences on Modern Academic Governance:](#)

#### [The Impact of Unions, Collective Bargaining, and Student Movements](#)

### [SUMMARY](#)

### [NOTES](#)

### [SELECTED BIBLIOGRAPHY](#)

## **ABSTRACT**

Governing American colleges and universities has always been a vital part of the academic enterprise. Modern governance structures comprising Boards of Trustees, Presidents, Administrative Officers, and Faculties have their origins in the early history of the nation. This study examines the historical trends shaping the way American higher education is currently governed, emphasizing key social, political, legal, and cultural elements impacting the development of institutional governance. Moreover, the paper analyzes the historical role and responsibilities of boards of trustees as the principal overseers of colleges and universities, as well as faculty and student attempts to gain greater control over institutional and academic issues. Recent trends such as the governance of multicampus public university systems and the influence of faculty unions and collective bargaining in the public sector are discussed. As a result, the paper summarizes the important historical events shaping college and university governance, while revealing current controversies regarding the centralization or decentralization of campus authority. The study concludes that although governing boards still retain ultimate authority over institutional affairs, debates over governance are likely to shape future higher education policy.

## **INTRODUCTION**

### **Governance and Purpose of the Study**

Since the establishment of Harvard College in 1636, college and university governance has been an integral part of American higher education. Academic governance, as it is frequently called, is defined differently by various members of the academic community, usually resulting in little scholarly agreement over precisely what constitutes the actual norms and structures governing the academy.

(1) Perhaps the most accurate definition of governance appropriate for this study is offered by Frederick Balderston (2) who states:

A general definition of governance refers to the distribution of authority and functions among the units within a larger entity, the modes of communication and control among them, and the conduct of relationships between the entity and the surrounding environment. When that entity is a contemporary U.S. university, the conventional building blocks for governance within the university are its trustees, the executive administration, the faculty, and other groupings and units, such as student government and alumni. The traditional discussion of the basic internal and external relationships of a private university focuses on the ways boards of trustees, presidents, and numerous other actors discharge their institutional responsibilities. In the case of a public university or multicampus university system, however, account must be made of the ties to executive and legislative branches of state government and, typically, to a higher education coordinating agency. (Balderston 1995, 55)

Within the American academic system, therefore, boards of trustees are ultimately responsible for governing a college or university.(3) Indeed, the charter of a private college or university or a state statutory provision creating public institutions, gives the board the legal authority to direct institutional affairs.(4) Historically, governing boards have held this authority, functioning as the principal overseers and policy makers of the academy. Recently, however, faculties and students have become key campus actors pressuring trustees and administrators for a greater voice in internal governance. Thus, the long-established position of boards and Presidents at the apex of the academic system, is being challenged on many campuses.(5)

As such, the purpose of this study is to trace the historical development of academic governance from the foundation of the first colleges in colonial America to the modern academy. Central to this discussion is the role and responsibilities of boards of trustees and the historical trends shaping the government of both public and private institutions. A key element of this analysis is understanding how

collegiate governance has been influenced by social, political, legal, and cultural forces. Within this framework, the paper should present a better understanding of the historical origins and evolution of college and university government.

### **The Governance of Early American Colleges: 1636-1850**

The current structure of American academic governance was established during the colonial era. Harvard College, founded in 1636, was primarily a public institution,(6) originally governed by a Board of Overseers created by legislative act of the Massachusetts General Court (the colonial legislature). Initially comprising the governor, deputy governor, treasurer, three magistrates, and six ministers from the Massachusetts Bay Colony, the Overseers were actually a committee rather than a permanent and autonomous governing board.(7) The Overseers, usually clergymen and magistrates, were under the control of the General Court and therefore could not act with complete freedom. By 1642, however, this situation changed when the Overseers were reconstituted as a quasi-corporation, and as a corporate body began the task of directly administering the college.(8) Indeed, similar to governing boards of trustees today, the Overseers had control of college property, a key sign of the power they now held over collegiate affairs.

In 1650 a charter granted by the General Court created a college Corporation. The charter transformed Harvard from a quasi-corporation into a fully chartered corporation; a legal entity consisting of the President, fellows (faculty), and treasurer. (9) While the Overseers still functioned as *trustees*(emphasis mine) of college property, the Corporation had the right to self-succession and to hold property, appoint other officers within the institution, and be exempt from taxes.(10) Yet, the charter made this corporate body subordinate to the Overseers, confirming the supervisory authority of the Overseers in all matters that went beyond routine questions of daily administration.(11) As a result, Harvard had two governing bodies, with the Overseers functioning essentially as a lay or nonacademic governing board controlling funds and all critical decisions. This governance model was appropriate for the colonial era, for as Jurgen Herbst states, The charter exemplified a carefully wrought compromise between a medieval tradition of corporate autonomy and a modern concern for territorial authorities over all matters of state and religion. The former was preserved, even though weakly, in the Corporation: the latter was institutionalized in the Board of Overseers.(12)

A similar trend in governance occurred at the College of William and Mary. Established by royal charter in 1693, William and Mary was governed by a lay (nonacademic) nonresident board of visitors. Composed of the Virginia gentry, the board was empowered to draw statutes for the college and to arrange for their own successors. They were also to form a corporation made up of the college masters. (13) Although the college faculty sought a high degree of autonomy, the lay board of visitors succeeded in controlling the corporation. Like the lay board at Harvard, William and Mary's lay board had ultimate power with the corporation subordinate to it.(14) By the time it was incorporated in 1729, (15) William and Mary's dual governance structure clearly favored authority of the visitors as the institution's trustees.

As Frederick Rudolph notes, however, it was Yale College which inaugurated a type of governing board which would become standard American practice the single absentee body.(16) Consistent with its 1701 charter, Yale's trustees were ten clergymen who were given power to manage institutional funds and property as well as to grant degrees.(17) Decades later, the trustee- ministers became a nonresident corporate body, and the college President, previously a member of the college Corporation at Harvard and William and Mary, was now excluded from this group. This change signaled what would become an enduring governance pattern in American higher education: control of collegiate government by a board of nonresident trustees with the President serving as representative of the governing board.(18)

Throughout the early history of American higher education, various trends influenced college and university governance. After the emergence of the provincial colleges during the early and middle eighteenth century, private colleges arose after the Revolution. While such colleges were dependent on their legislatures for incorporation, their trustees usually did not apply for public support.(19) Thus, private schools and their governing boards sought complete separation from state authority. Likewise, during the early and middle nineteenth century, religious groups began the process of college founding, a movement imposing great demands upon state legislatures to grant charters of incorporation.(20) As American society became more pluralistic and more tolerant religiously, institutions of higher education reflected this trend.

However, between 1636 and the early 1800s, colleges...which continued to reflect a narrow sectarian or even single political control ran a protracted struggle with public authorities which did not terminate till the Dartmouth College Case.(21) In February 1819, the United States Supreme Court in *Trustees of Dartmouth College v. Woodward*, held that the New Hampshire state legislature could not unilaterally rescind or amend the charter of Dartmouth College, as the college was a *private* corporation subject to the control of its governing board of trustees. In writing the Court's majority opinion, Chief Justice John Marshall agreed with Dartmouth's trustees that the corporation Charter was a contract protected from state impairment by the Constitution. Marshall cited the property rights of the college donated by private donors for a specific purpose, and the fact that the college was established as an eleemosynary (charitable) corporation. As a result, the Dartmouth case recognized the rights of nonpublic college corporations to legal protection equal to that accorded to private business corporations.(22) Thus after the decision, state legislatures would use reserve power clauses in college corporate charters to effectively alter, change, limit or annul specific charter provisions. Indeed, after 1819 such powers became a normal part of college incorporation.(23) But the Dartmouth College case marked an important distinction between public and private higher education institutions, creating an important legal precedent promoting the establishment of many private colleges and universities.

Overall, while many state legislatures sought college charter limitations during the Jacksonian era,(24) the early years of college governance set the trend for the future. Faculty autonomy was almost nonexistent, students were viewed as the charges of professors and institutions, and authority was firmly rooted in lay governing boards and Presidents. As Arthur M. Cohen (25) asserts:

the combination of lay boards of trustees, strong Presidents, a weak professoriate, and the absence of a central ministry of higher

education throughout American history served to perpetuate the governance patterns that were established early on....And when the first state

universities were organized soon after the formation of the United States, their governance followed the pattern established previously: lay boards were responsible for fiscal matters and for appointing a president answerable to the board who would manage the day-to-day affairs of the institution. The main difference was that church influence on the governing board and curriculum was abolished. (Cohen 1998, 44-45)

With the expansion of the academy during the late nineteenth and early twentieth centuries, however, academic governance would reflect changing social, political, and cultural trends.

### **The Expansion of the Academy and Its Impact Upon Governance: 1850-1945**

The period between 1850 and World War II witnessed important developments in the transformation of higher education. Unlike the small, private denominational colleges of mid-century, larger state-sponsored universities emerged. The Morrill Land-Grant Act of 1862 sparked the growth of state institutions offering curricula in agriculture and the mechanical arts. The act created a variety of institutional arrangements such as A & M colleges, and even allowed some private colleges to provide the new curriculum.(26) Curricular diversity was further enhanced when Harvard President Charles W. Eliot instituted the elective system to replace recitations and the classical curriculum.(27) By late century, the American university arose, transforming the academic profession permanently into its current form. Between 1870 and 1900 the research university became an established part of national academic culture. Soon, as David O. Levine points out, the urban university became a key center of higher education.(28) Consequently, the old practitioner-teachers were replaced with academicians holding the Ph.D. degree, academic departments were created, and faculties were organized by rank.(29)

Accompanying these major developments were various changes in institutional governance. As colleges and universities expanded, bureaucratic structures developed.

Internal administration was increasingly controlled by the offices of deans, registrars, and admissions directors. Some larger institutions had vice-presidents in the later nineteenth century, but this office had its best growth in the twentieth century, too.(30) Curricular specialization resulted in the creation of academic departments. Faculties organized themselves into committees and by the end of the nineteenth century at Columbia University, a university council comprising faculty and administrators was formed to decide important issues.(31) The professoriate was advancing in professional status, gaining control over hiring, the curriculum and degree requirements. (32) But as a group they did not yet play a central role in academic governance. Moreover, students were in a similar position. Although student government emerged in most institutions, student power usually did not extend beyond extracurricular affairs and the ability to use the elective system to choose courses.(33) Only in this limited sense did students gain some voice in academic and institutional matters.

Major control of university governance continued to reside with the board of trustees and the President. The social composition of trustees, however, was changing. As higher education became more secular in outlook and developed a more business oriented approach, trustees came increasingly from the ranks of businessmen.(34) Trustees in public institutions were usually appointed by the governor, while in private colleges and universities they were elected by a church body or were self-perpetuating lay boards.(35) An earlier era saw clergymen dominate collegiate governing boards, but during the expansion of the late nineteenth and early twentieth centuries, trustees reflected the growing business class.

One important development was the role of alumni on college and university boards. Growing out of the rise of alumni associations,(36) by the 1860s the alumni-trustee movement began to influence collegiate governance.(37) Alumni, particularly wealthy businessmen, began to occupy positions on governing boards. At schools such as Harvard and Williams College alumni even elected board members. (38) With the rise of intercollegiate athletics during the late nineteenth century, alumni trustees came to be concerned more with institutional loyalty and athletic success rather than academic merit.(39) Still, governing boards maintained oversight in matters relating to the institution and represented the school to the public. In public institutions the trustees often helped preserve institutional independence by acting as a buffer between university and legislature...They solicited donations, pointed directions for construction, and approved institutional budgets. Most important, they employed the president.(40) A significant trend thus developed and by the early 1900s alumni became an integral part of many campus boards.

Nevertheless, trustee power was not unlimited and much governing board authority was delegated to the president.(41) As colleges and universities became increasingly complex organizations, boards selected presidents with sound administrative skills. Indeed, as colleges were transformed into major standardized universities(42) with growing enrollments, larger budgets, a professional academic staff, and professional schools, presidents had to manage their institutions more effectively. Sometimes conflicts emerged between presidents and faculties, especially when professors perceived any intrusion upon their academic freedom. Such confrontations were inevitable at a time when professors were beginning to assert more power. The formation of the American Association of University Professors (AAUP) in 1915 demonstrated the growing demand of the academic profession for autonomy and the protection of academic ideals. Thus, when rapid institutional growth was increasing presidential power during the late nineteenth and early twentieth centuries, faculties and presidents usually clashed over academic or administrative policies.(43)

American higher education witnessed great expansion in the decades before World War II. Junior colleges emerged as important centers of teaching and learning (44) and more women entered college than at any previous time. But although university education became accessible to virtually all high school graduates in the traditional age cohort,(45) students, like faculties on many campuses, had yet to achieve significant power in the institutional governance structure. Yet, Balderston's view (46) of governance as the distribution of authority and the relationship among trustees, faculty, administrators, students, and other groups, became more structured and

formalized during the early twentieth century. After World War II, governance was still controlled by trustees, presidents, and key administrators, but a host of developments gave faculties and students a greater voice in campus affairs.

## **Faculty and Student Influences on Modern Academic Governance:**

### **The Impact of Unions, Collective Bargaining, and Student Movements**

Since the end of World War II several major trends have affected college and university governance. As a result of the baby-boom, greater numbers of students entered academe, particularly during the 1960s. Student numbers grew by approximately 50 percent in the 1950s....The 1960s experienced a double effect: participation rates increased by half (from 30% to 45%), and the eighteen-to-twenty-one year old age cohort grew even more (from 9 million to 15 million).(47) Public and many private institutions expanded not only numerically, but in terms of curriculum and academic programs. Demographically, students from diverse ethnic and racial backgrounds sought undergraduate degrees, as did a greater portion of women. By the 1980s and 1990s multiculturalism appeared in the curriculum, generating almost continual debates between traditional defenders of Western culture and those advocating the study of race, gender, and foreign cultures. In addition, state governments and external accrediting agencies took active roles to make institutions more accountable for academic outcomes and fiscal expenditures.(48) All of these phenomena have deeply impacted the way in which boards of trustees, presidents, administrators, and even faculties govern the campus.

Furthermore, political and legal forces combined to influence campus governance. The 1960s saw the rise of faculty unions and collective bargaining, especially at public colleges and universities. Professors sought increased salaries and benefits, greater control over tenure decisions, academic promotion, research funding, and related professional issues.(49) Coalescing with this increase in academic unionism were the campus disorders created by the Vietnam War and the civil rights movement. Students not only protested against the war, but argued for participation in college and university governing bodies. In 1968 campus turmoil reached its height as student demonstrations and sit-ins erupted at Columbia and the University of California at Berkeley. Students at many colleges protested against ROTC and campus recruiting stations for the military.(50) At many institutions even the undergraduate curriculum was attacked as being irrelevant and failing to address student desires and aspirations.(51) As Roger Geiger (52) notes:

The student movement crystallized from the Free Speech Movement at Berkeley and Students for a Democratic Society. The larger issues of the war in Vietnam and racial injustice largely propelled its evolution toward increasing radicalism and militancy. Although the major campuses suffered their greatest disruption from 1967 to 1969, the enduring impact was to alter the prevailing atmosphere of higher education....The university's relation to its students was profoundly altered, from paternalism to exaggerated permissiveness. And universities retreated for a time to a heightened aloofness. (Geiger 1999, 63)

Thus on some campuses, students gained a voice in institutional government, albeit through representatives on university committees. As for faculty members, collective bargaining and traditional forms of academic governance were coexisting.(53) Academic (faculty) senates, long established in many schools, were strengthened as shared governance the participation by campus constituencies (primarily faculty) in the decision-making process became a reality. Indeed for many professors, collective bargaining was a vehicle to achieve faculty governance rights. For professors in private universities this has been problematic, since the United States Supreme Court's 1980 *Yeshiva* decision makes collective bargaining for faculties in private institutions extremely difficult.(54) But as Robert Birnbaum observes collective bargaining need not determine the quality of governance.(55) Nevertheless, in the years since World War II, collective bargaining, faculty unionism, and student agitation have influenced academic governance considerably, giving professors and students alike a voice in academic and institutional affairs.

Today, governance structures are changing as some states move toward consolidated governing boards to direct the affairs of large public multicampus university systems.(56) How this will affect the distribution of authority in these institutions is unclear. What is clear is that even with faculty collective bargaining and greater student participation on campus committees, the model of college and university governance dating back to colonial times remains firmly intact. Recently, in *Cahn and Cahn v. Antioch University*, even the courts have upheld the authority of trustees to determine crucial institutional decisions.(57) As a result, governing boards and Presidents at both public and private institutions continue to control major policy, personnel, and academic decisions.

### **SUMMARY**

The current governance model prevalent in American higher education dates to the foundation of the earliest colonial colleges. The institutional hierarchy comprising boards of trustees, the President, senior administrators, faculty, and students is firmly established within the academic system. Although modified over time to give greater voice to faculty and student concerns, college and university government still remains under the firm control of governing boards in public and private institutions alike. On many campuses, faculty senates have been established giving professors a key role in the academic power structure. But even with significant social, political, and legal changes in the academic environment, trustees and Presidents continue to wield significant authority.

Since the 1960s, however, faculty collective bargaining and student initiatives aimed at influencing institutional policy have affected academic governance considerably. Particularly in state-sponsored schools, faculties have gained more decision-making rights over issues such as tenure, promotion, and research agendas. In addition, the emergence of multicampus public universities has led to more complex governance structures, such as consolidated governing boards in which one body regulates the entire university system. Private colleges and universities have more simplified structures with trustees exercising ultimate authority conferred by legislative charter. Yet on many campuses debates over whether authority should be decentralized continue. Controversies over governance are not new and will likely remain a part of academe. While modern college and university government continues to evolve, the basic pattern established during the early years of the nation endures intact. As it has since the founding of the first colonial colleges, the issue of academic governance is likely to shape higher education policy for many years.

## NOTES

1. The vast literature on governance defines the term in different ways. For example, John J. Corson in his book *Governance of Colleges and Universities* (New York: McGraw-Hill, 1960), defines governance as a decision-making process for making rules and regulations which govern the conduct of and relationship between the various members of the college or university community. Corson states we are examining the process or art with which scholars, students, teachers, administrators, and trustees associated together in a college or university establish and carry out the rules and regulations that minimize conflict, facilitate their collaboration, and preserve essential individual freedom, pp. 12-13. Similarly, John D. Millett defines governance as the act of deciding what to do and how to do it within an organization. Within a university governance involves decisions about the basic purpose or mission of the enterprise, about policies (values) to be observed and achieved in pursuit of the basic mission, about programs to be performed, and about resources to be obtained and utilized. Governance also involves decisions about enrollment objectives, organizational arrangements, personnel standards, facility requirements, information needs, budget allocations, and evaluation processes. In *Management, Governance & Leadership* (New York: AMACOM, 1980), 145. Robert Birnbaum in *How Colleges Work: The Cybernetics of Academic Organization and Leadership* (San Francisco: Jossey-Bass, 1988), defines governance as the structures and processes through which institutional participants interact with and influence each other and communicate with the larger environment, p. 4.
2. Frederick Balderston, *Managing Today's University: Strategies for Viability, Excellence, and Change*, 2<sup>nd</sup> ed. (San Francisco: Jossey-Bass Publishers, 1995), 55.
3. *Ibid.*, 56.
4. William A. Kaplin and Barbara A. Lee, *The Law of Higher Education: A Comprehensive Guide to Legal Implications of Administrative Decision Making*, 3<sup>rd</sup> ed. (San Francisco: Jossey-Bass Publishers, 1995), 80, 82.
5. Roger Geiger, The Ten Generations of American Higher Education, in *American Higher Education in the Twenty-first Century: Social, Political, and Economic Challenges*, ed. Philip G. Altbach, Robert O. Berdahl, and Patricia J. Gumpert (Baltimore: The Johns Hopkins University Press, 1999).
6. Jurgen Herbst, *From Crisis to Crisis: American College Government, 1636-1819* (Cambridge: Harvard University Press, 1982), 8.
7. *Ibid.*, 6.
8. *Ibid.*, 7; Arthur M. Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass Publishers, 1998), 40.
9. Herbst, *From Crisis to Crisis*, 15; Cohen, *The Shaping of American Higher Education*, 40.
10. Cohen, *The Shaping of American Higher Education*, 40.
11. Herbst, *From Crisis to Crisis*, 11.
12. *Ibid.*, 16.
13. Cohen, *The Shaping of American Higher Education*, 41.
14. *Ibid.*, 41.
15. Herbst, *From Crisis to Crisis*, 33.
16. Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, 1962; reprint, Athens: The University of Georgia Press, 1990), 167.
17. *Ibid.*, 167; Cohen, *The Shaping of American Higher Education*, 41.
18. Rudolph, *The American College and University*, 167.
19. Herbst, *From Crisis to Crisis*, 189.
20. Rudolph, *The American College and University*, 44-67.
21. John S. Brubacher and Willis Rudy, *Higher Education in Transition, An American History: 1636-1956* (New York: Harper & Brothers Publishers, 1958), 33.
22. Herbst, *From Crisis to Crisis*, 241; For an important discussion of the critical distinction between private and public institutions resulting from the Dartmouth College decision, see John S. Whitehead and Jurgen Herbst, How to Think about the Dartmouth College Case, *History of Education Quarterly*, 26 (Fall 1986), 331-349.
23. *Ibid.*, 243.
24. Rudolph, *The American College and University*, 213-214.

25. Cohen, *The Shaping of American Higher Education*, 44-45.
26. Rudolph, *The American College and University*, 253.
27. Geiger, *The Ten Generations of American Higher Education*, 53; Laurence R. Veysey, *The Emergence of The American University* (Chicago: The University of Chicago Press, 1965), 68-69.
28. David O. Levine, *The American College and the Culture of Aspiration, 1915-1940* (Ithaca: Cornell University Press, 1986), 68-88.
29. Geiger, *The Ten Generations of American Higher Education*, 53, 55-56; Rudolph, *The American College and University*, 394-395; 398-400; 409, 427; Brubacher and Rudy, *Higher Education in Transition*, 354. Veysey, *The Emergence of The American University*, 320-323.
30. Brubacher and Rudy, *Higher Education in Transition*, 353.
31. *Ibid.*, 354.
32. Cohen, *The Shaping of American Higher Education*, 151.
33. *Ibid.*, 157-158.
34. Cohen, *The Shaping of American Higher Education*, 151; Rudolph, *The American College and University*, 173-174, Veysey, *The Emergence of The American University*, 350-351.
35. Cohen, *The Shaping of American Higher Education*, 151-152.
36. Brubacher and Ruddy, *Higher Education in Transition*, 349.
37. Rudolph, *The American College and University*, 428.
38. Rudolph, *The American College and University*, 428; Brubacher and Ruddy, *Higher Education in Transition*, 350.
39. Brubacher and Ruddy, *Higher Education in Transition*, 350.
40. Cohen, *The Shaping of American Higher Education*, 152.
41. Rudolph, *The American College and University*, 175.
42. Veysey, *The Emergence of The American University*, 330-331; Geiger, *The Ten Generations of American Higher Education*, 54-55; Rudolph, *The American College and University*, 427.
43. Brubacher and Rudy, *Higher Education in Transition*, 355.
44. Levine, *The American College and the Culture of Aspiration*, 162, 173-183; Geiger, *The Ten Generations of American Higher Education*, 58.
45. Geiger, *The Ten Generations of American Higher Education*, 60.
46. Balderston, *Managing Today's University*, 55-56.
47. Geiger, *The Ten Generations of American Higher Education*, 62.
48. Aims C. McGuinness Jr., *The States and Higher Education*, in *American Higher Education in the Twenty-first Century: Social, Political, and Economic Challenges*, ed. Philip G. Altbach, Robert O. Berdahl, and Patricia J. Gumpert (Baltimore: The Johns Hopkins University Press, 1999), 191; Cohen, *The Shaping of American Higher Education*, 248.
49. Cohen, *The Shaping of American Higher Education*, 207, 211.
50. *Ibid.*, 205.
51. *Ibid.*, 230.
52. Geiger, *The Ten Generations of American Higher Education*, 63.
53. Cohen, *The Shaping of American Higher Education*, 221.
54. Philip G. Altbach, "Harsh Realities: The Professoriate Faces a New Century," in *American Higher Education in the Twenty-First Century: Social, Political, and Economic Challenges*, ed. ed. Philip G. Altbach, Robert O. Berdahl, and Patricia J. Gumpert (Baltimore: The Johns Hopkins University Press, 1999), 287; Kaplin and Lee, *The Law of Higher Education*, 182-189; Barbara A. Lee, *Faculty Role in Academic Governance and the Managerial Exclusion: Impact of the Yeshiva University Decision*, *The Journal of College and University Law* 7 (1980-1981): 222.
55. Robert Birnbaum, *Leadership and Followership: The Cybernetics of University Governance*, in *Governing Tomorrow's Campus:*

*Perspectives and Agendas*, Jack H. Schuster, Lynn H. Miller, and Associates (New York: American Council on Education and Macmillan Publishing Company, 1989), 38.

56. McGuinness Jr., The States and Higher Education, 191-192, 195; Zusman, Issues Facing Higher Education in the Twenty-first Century, in *American Higher Education in the Twenty-first Century: Social, Political, and Economic Challenges*, ed. Philip G. Altbach, Robert O. Berdahl, and Patricia J. Gumpert (Baltimore: The Johns Hopkins University Press, 1999), 139-141.

57. Michael A. Olivas, The Legal Environment: The Implementation of Legal Change on Campus, in *American Higher Education in the Twenty-first Century: Social, Political, and Economic Challenges*, ed. Philip G. Altbach, Robert O. Berdahl, and Patricia J. Gumpert (Baltimore: The Johns Hopkins University Press, 1999), 219; Kaplin and Lee, *The Law of Higher Education*, 85-87.

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## [GO TO TOP](#)

College and University Education in the United States. i Welcome KAREN P. HUGHES, UNDER SECRETARY OF STATE FOR PUBLIC DIPLOMACY AND PUBLIC AFFAIRS. ii Introduction MARGARET SPELLINGS, SECRETARY OF EDUCATION. iii About this Issue. Types of Institutions. 4 Public Universities in the United States ROBERT H. BRUININKS, PRESIDENT OF THE UNIVERSITY OF MINNESOTA A typical state university enrolls tens of thousands of students and offers hundreds of courses of study. 6 What Is a Large, Private Research University? JAMES W. WAGNER, PRESIDENT OF EMORY UNIVERSITY The availability of private funding enable Not all American colleges and universities have a separate student government. A handful of small liberal arts colleges in the United States use a governance model in which key decisions are made democratically by the community as a whole, with students and faculty on equal footing.Â Sponsoring campus-wide programs (e.g. Homecoming, concerts, parades, speakers, entertainment, discount cards, food pantries, book swaps, etc.) Chartering and regulating student organizations. Lobbying on local and state education-related issues, particularly at public institutions. Relationship to the Institution[edit]. Most universities and colleges (both public and private) in the United States are governed by a Board of Trustees, Regents or Visitors.



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