

“REFLECTIONS OF A BOARD CHAIR TURNED ACCIDENTAL PRESIDENT”SPEECH TO CANADIAN UNIVERSITY BOARDS ASSOCIATION-APRIL 29TH, 2016

JEREMY BENTHAM WAS AN EARLY 19TH CENTURY ECONOMIST AND UTILITARIAN PHILOSOPHER. HE FOUNDED UNIVERSITY COLLEGE LONDON. WHEN HE DIED IN 1838 THEY HAD HIM STUFFED. YOU CAN STILL SEE HIM SITTING IN HIS CHAIR IN A GLASS BOOTH IN THE SOUTH CLOISTERS OF THE COLLEGE. WHEN THE UNIVERSITY GOVERNORS HOLD A MEETING, THE BEADLES WHEEL HIM INTO THE BOARD ROOM. THE BOARD SECRETARY RECORDS HIM AS “PRESENT, BUT NOT VOTING.”

WELL, THAT’S ONE WAY. BUT THE PREMISE OF MY TALK TODAY IS THAT OUR BOARDS ARE FILLED WITH PEOPLE WHO ARE ALIVE FROM THE NECK UP AND WANT TO TAKE A FULL PART IN THE GOVERNANCE OF THEIR UNIVERSITY. AND MY TASK IS TO SHARE SOME INSIGHTS FROM BOTH SIDES OF THE TABLE – AS A FORMER UNIVERSITY BOARD CHAIR, AND AS A CURRENT UNIVERSITY PRESIDENT. SO ONE QUESTION WOULD BE, HOW DO WE MAKE IT EASIER FOR BOARD MEMBERS AND PRESIDENTS FROM OUTSIDE THE ACADEMY TO UNDERSTAND THE CULTURE THEY ARE ENTERING INTO, SO THEY ARE READY TO SERVE? AND WHAT IS THAT CULTURE ANYWAY?

UNIVERSITY CULTURE AND GOVERNANCE

AND LET’S MAKE NO MISTAKE: UNIVERSITIES ARE A VERY DIFFERENT CULTURE—I’D EVEN SAY A PARALLEL UNIVERSE. WHEN I ANSWERED THE CALL TO LEAVE THE BUSINESS WORLD AND COME TO KING’S, I THOUGHT I KNEW

SOMETHING ABOUT UNIVERSITIES. AFTER ALL I'D BEEN PRESIDENT OF THE STUDENT COUNCIL AT DALHOUSIE. MIND YOU, THAT WAS A LONG TIME AGO, SHORTLY AFTER THE EARTH COOLED; BUT STILL, I THOUGHT I UNDERSTOOD THE STUDENT MIND. THEN I WAS PRESIDENT OF THE DAL ALUMNI ASSOCIATION, SO I HAD THAT ACED. I DID LEGAL WORK FOR DAL, WAS ON THE BOARD AT DAL TWICE, AND KING'S TWICE, THE SECOND TIME AS BOARD CHAIR. I RAN TWO NATION-WIDE FUNDRAISING CAMPAIGNS, SO I KNEW ABOUT THAT. I USED TO TEACH A COURSE IN THE DAL LAW SCHOOL, SO TICK THAT BOX. AND TO TOP IT OFF, FOR 30 YEARS WITH THE KILLAM TRUSTS I HAVE MET WITH THE SENIOR ADMINISTRATIVE, FINANCIAL AND ACADEMIC OFFICIALS OF UBC, UNIVERSITY OF ALBERTA, UNIVERSITY OF CALGARY, MCGILL AND DALHOUSIE. I EVEN KNEW SOMETHING OF OXFORD, AS CHAIR OF MY COLLEGE'S "OLD MEMBERS ASSOCIATION" IN CANADA. (ACTUALLY, OXFORD BEING OXFORD, "OLD MEMBERS" IS CODE FOR ALUMNI, AND THERE IS NO CHAIR; MY TITLE WAS "HONORARY SECRETARY".)

BUT BECOMING PRESIDENT OF KING'S WAS A REAL EYE OPENER. I DISCOVERED THAT MY KNOWLEDGE OF UNIVERSITIES WAS FROM THE CROW'S NEST PERCHED HIGH ABOVE THE ADMIRAL'S POOP DECK. I HAD NO IDEA OF WHAT REALLY GOES ON IN THE BOILER ROOM, IN THE GALLEY OR ON THE GUN DECK. AND IT'S NOT EASY FOR A DOWNTOWNER TO LEARN, ESPECIALLY WHEN YOU'RE IN YOUR 70'S.

WHEN I SAY THAT UNIVERSITIES ARE A PARALLEL UNIVERSE, I MEAN NO DISRESPECT. I'VE PRACTICED LAW FOR ABOUT 50 YEARS, AND BELIEVE ME LAW FIRMS ARE STRANGE PLACES TOO. I SUSPECT THE SAME IS TRUE WHEREVER WE WORK. BUT HERE'S THE DIFFERENCE: MOST OF US COME TO OUR UNIVERSITY

BOARD THINKING WE ALREADY KNOW HOW UNIVERSITIES WORK. AND THAT WOULD BE NATURAL, BECAUSE NEARLY ALL OF US HAVE SPENT AT LEAST FOUR YEARS THERE AS STUDENTS. SO IT TAKES AN ACT OF WILL TO ACKNOWLEDGE THAT THERE ARE UNKNOWN UNKNOWN, AND THAT WE SHOULD AT LEAST KEEP A KEEN EYE OUT FOR THE HIDDEN GOVERNANCE SIGNS POSTS LURKING IN THE GROVES OF ACADEME.

AS FOR THE GENERAL PRINCIPLES OF GOOD GOVERNANCE THAT APPLY EVERYWHERE, I'M NOT GOING THERE BECAUSE YOU ALL KNOW THEM. YOU CAN BRIEFLY STATE THEM UNDER THREE HEADINGS:

1. "TONE AT THE TOP": THE BOARD MUST CONDUCT ITSELF TO THE HIGHEST MORAL STANDARDS. THE CHAIR AND THE PRESIDENT HAVE A PARTICULAR RESPONSIBILITY FOR THIS. IF THE TONE AT THE TOP IS RIGHT, THIS WILL FILTER DOWN TO ALL LEVELS OF THE INSTITUTION. BESIDES, BY INFUSING A STRONG ETHICAL SENSIBILITY THROUGHOUT, YOU LOWER THE RISK OF LOSS OF REPUTATION, AND MAKE IT EASIER TO COPE IF IN SPITE OF EVERYTHING THERE IS AN ETHICAL LAPSE.
2. "NOSE IN, FINGERS OUT": THE JOB OF THE BOARD IS TO OVERSEE THE ADMINISTRATION AND HOLD IT TO ACCOUNT. IT PROBES THE ADMINISTRATION'S DECISION-MAKING PROCESS WITH A VIEW TO BUILDING THE INSTITUTION, TOGETHER, FOR THE FUTURE. THE UNDERLYING PRINCIPLE IS, "NOSE IN, FINGERS OUT". IF THE BOARD GOES TOO FAR AND USURPS THE ROLE OF THE ADMINISTRATION, THEN THEY BECOME MANAGEMENT. AT THAT

POINT, THERE IS NO ONE LEFT TO EXERCISE OVERSIGHT, AND THE PURPOSE FOR WHICH THE BOARD WAS ESTABLISHED IN THE FIRST PLACE IS LOST.

3. DIVERSITY: FOR BETTER DECISION-MAKING, YOU NEED A RANGE OF AGES, BACKGROUND AND EXPERIENCE. THIS AVOIDS “GROUP THINK”, BUT MORE – IT SPARKS NEW IDEAS. AND GIVEN THAT UNIVERSITIES ARE AMONG THE MOST CHANGE-RESISTANT INSTITUTIONS IN OUR SOCIETY, NEW IDEAS ARE SORELY NEEDED.

SO THE REAL QUESTION FOR TODAY IS, HOW DOES UNIVERSITY GOVERNANCE DIFFER FROM ORDINARY GOVERNANCE? FOR THAT, WE NEED TO KNOW WHAT SETS A UNIVERSITY APART FROM OTHER INSTITUTIONS IN OUR SOCIETY. DEAN SPERRY OF HARVARD ONCE DESCRIBED A UNIVERSITY AS A “BELOVED COMMUNITY OF MEMORY AND OF HOPE.” TRUE ENOUGH; BUT IT’S A LOT MORE THAN THAT. THE DISTINGUISHING FEATURES OF A UNIVERSITY ARE TWO: ACADEMIC FREEDOM, AND SHARED SELF-GOVERNANCE.

DO THE PROVERBIAL MAN AND WOMAN IN THE STREET UNDERSTAND THIS? YES, THEY DO. THEY EXPECT UNIVERSITIES TO BE THOUGHT LEADERS. THEY KNOW THAT PROFESSORS ARE SOCIETY’S SCOUTS (TO QUOTE DEREK BOK, FORMER PRESIDENT OF HARVARD). AND THEY KNOW THAT BRAIN WORK IS HARD WORK AND DESERVES TO BE WELL PAID.

ORDINARY PEOPLE ALSO UNDERSTAND THAT UNIVERSITIES HAVE TO HAVE SPECIAL LICENCE THAT NO OTHER INSTITUTION IN OUR SOCIETY ENJOYS: THE FREEDOM TO BRING OUT HIGHLY UNPOPULAR IDEAS AND SPEND TIME AND MONEY ON NEW WAYS OF DOING THINGS, WITH NO FINANCIAL PAYOFF FOR

DECADES, IF EVER. OUR SOCIETY DESPERATELY NEEDS SOME ONE TO DO THIS, OR ELSE THERE WILL BE NO SOCIAL, ECONOMIC OR CULTURAL PROGRESS. AND ONLY THE UNIVERSITIES CAN DO IT—NO OTHER INSTITUTION CAN. NOT THE GOVERNMENT, NOT THE CORPORATE SECTOR, NOT EVEN JOURNALISM. THEY HAVE TO APPEAL TO THE MASSES, OR ELSE THEY WON'T SURVIVE.

BUT PRECISELY BECAUSE UNIVERSITIES ARE GIVEN THIS SPECIAL LEADERSHIP STATUS, ORDINARY PEOPLE RIGHTLY EXPECT PROPER CONDUCT. AND THIS IS WHY THEY GET SO UPSET WHEN UNIVERSITIES FALL SHORT. IT IS WHY WE NEED TO SELF-IMPOSE THE HIGHEST STANDARDS OF SELF-GOVERNANCE, FINANCIAL AND ADMINISTRATIVE PERFORMANCE, ACADEMIC INTEGRITY AND RESEARCH RIGOUR. ANYTHING LESS PUTS AT RISK THE PUBLIC'S FAITH IN UNIVERSITIES AND PUTS IN JEOPARDY OUR LEADERSHIP ROLE IN SOCIETY.

DUTIES OF A UNIVERSITY BOARD

I WILL TALK ABOUT THE DUTIES OF THE CHAIR AND THE PRESIDENT. BUT TO SET THE SCENE I NEED FIRST TO TALK ABOUT THE DUTIES OF THE BOARD AS A WHOLE IN THE SPECIAL CONTEXT OF THAT PARALLEL UNIVERSE, THE UNIVERSITY. AND THE FIRST POINT IS, BOARDS HAVE TO IMBIBE THE KEY NOTIONS OF ACADEMIC FREEDOM AND SHARED SELF-GOVERNANCE LIKE MOTHER'S MILK. AND THE BEST WAY TO DO THAT IS TO SPEND LOTS OF TIME WITH YOUR ACADEMIC COLLEAGUES. AFTER ALL, THEY HAVE THE BIGGEST STAKE. THEY'RE SPENDING THEIR LIVES AT YOUR UNIVERSITY. THEY KNOW MORE ABOUT HOW IT WORKS AT THE INTELLECTUAL COAL FACE THAN WE DO.

HOW YOU INTERACT WITH FACULTY DEPENDS ON WHICH MODEL OF "SHARED GOVERNANCE" YOUR BOARD FOLLOWS. THERE ARE FOUR COMPETING

MODELS, AND HERE I DRAW LIBERALLY FROM STEPHEN C. BAHLS'S MONOGRAPH, "SHARED GOVERNANCE IN TIMES OF CHANGE: A PRACTICAL GUIDE", PUBLISHED IN 2014 BY THE U.S. ASSOCIATION OF GOVERNING BOARDS OF UNIVERSITIES AND COLLEGES.

1. SOME BELIEVE SHARED GOVERNANCE MEANS EQUAL RIGHTS TO GOVERNANCE IN EVERY DECISION. IN OTHER WORDS, THERE IS NO DECISION UNTIL THERE IS A CONSENSUS REACHED BY ALL. BUT THIS IS TOO MUCH. IT WOULD GIVE FACULTY A VETO POWER OVER DECISIONS WITHIN THE BOARD'S MAIN FIDUCIARY DUTIES--BUDGET, FINANCE, CAMPUS PLANNING ETC. -- AND GIVE THE BOARD VETO POWER OVER DECISIONS MAINLY WITHIN THE FACULTY'S DOMAIN: PROMOTION AND TENURE, WHAT COURSES TO TEACH AND HOW TO TEACH THEM, ETC.
2. OTHERS SAY SHARED GOVERNANCE MEANS CONSULTATION. BUT THIS IS TOO LITTLE. FACULTY BELIEVE THEY HAVE FULL AUTHORITY OVER ALL ACADEMIC DECISIONS, AND FOR ALL PRACTICAL PURPOSES THEY DO. AND EVEN FOR DECISIONS WITHIN THE BOARD'S MAIN PURVIEW, FACULTY AS THE LARGEST STAKEHOLDERS ARE KEY TO GOOD OUTCOMES.
3. THEN THERE IS "SHARED GOVERNANCE AS RULES OF ENGAGEMENT"—SLICING THE DECISION MAKING PIE INTO "THIS PIECE WITHIN THIS BOUNDARY" WHERE FACULTY MAKES THE DECISIONS, AND "THAT PIECE WITHIN THAT BOUNDARY" WHERE THE BOARD ALONE DECIDES. BUT THIS IS A TERRITORIAL MODEL, WHERE EVERYONE HOLDS THEIR GROUND. IT LOOKS BACKWARD. IT IS A SURE-FIRE RECIPE FOR SEIZING UP THE DECISION MAKING PROCESS—A PROCESS THAT BY DEFINITION IS FORWARD LOOKING.

4. BUT THERE IS A FOURTH MODEL: “SHARED GOVERNANCE AS A SYSTEM OF ALIGNING PRIORITIES.” THIS ONE WORKS. HERE, YOU FIRST DEVELOP A COMMON UNDERSTANDING OF THE CHALLENGES THE UNIVERSITY FACES IN ITS OVERALL DIRECTION. AND THEN, YOU HAVE A SYSTEM OF CHECKS AND BALANCES FOR DECISIONS ON OPERATIONAL ISSUES, SUCH AS ACADEMIC PROGRAMS, TENURE AND PROMOTIONS, BUDGETING, AND STUDENT LIFE. AND FOR THIS TO WORK, YOU NEED TO JOINTLY DEVELOP STRATEGIC DIRECTIONS, JOINTLY TACKLE THE DIFFICULT ONGOING TASKS, AND JOINTLY WORK OUT HOW TO MEASURE SUCCESS.

IN PRACTICAL TERMS, THIS “SYSTEMS” MODEL OF SHARED GOVERNANCE MEANS BRINGING FACULTY IN ON ALL DECISIONS, BUT WITHOUT A REQUIREMENT FOR 100% CONCENSUS, AND WITHOUT THE POWER OF VETO. IT IS NOT EASY. IT TAKES TIME. IT TAKES ENERGY. IN SHORT, IT TAKES COMMITMENT. BUT IT BUILDS MUTUAL TRUST, AND TRUST IS THE KEY TO BUY-IN. AND IN THE END, IF IT KEEPS YOU FROM CONFRONTATION – OR, WORSE, CHAOS – IT WILL SAVE YOU EONS OF TIME AND MEGA TONS OF ENERGY.

I HAVE THREE OTHER QUICKIE COMMENTS ABOUT HOW BOARDS SHOULD CONDUCT THEMSELVES:

1. NO “CORRIDOR CONVERSATIONS” WITHIN BOARD FACTIONS: WE ALL DO IT, TO SOME DEGREE. BUT PLEASE RESIST. IT ONLY HEIGHTENS MISTRUST. IF YOU HAVE SOMETHING TO SAY, SAY IT TO THE WHOLE BOARD. REMEMBER THAT NO BOARD MEMBER HAS ANY INDIVIDUAL AUTHORITY - ONLY THE RIGHT TO JOIN IN THE DECISION MAKING PROCESS. AND NO MATTER HOW YOU COME TO THE BOARD, YOU OWE YOUR DUTY TO THE WHOLE

UNIVERSITY, NOT TO THE BODY THAT ELECTED OR APPOINTED YOU. IN EDMUND BURKE'S FAMOUS PHRASE, YOU ARE A REPRESENTATIVE, NOT THE DELEGATE OF SOME FACTION. IT FOLLOWS THAT ONCE A DECISION IS MADE, THE BOARD SPEAKS WITH ONE VOICE, AND YOU MUST SUPPORT IT.

2. NO OFF-LINE COMMUNICATIONS BEHIND THE PRESIDENT'S BACK. THAT STEPS OVER THE LINE. YOU'RE ON THE SLIPPERY SLOPE OF TAKING OVER THE PRESIDENT'S JOB OF RUNNING THE UNIVERSITY. AND WHAT'S MORE, YOU ARE NO LONGER DOING YOUR OWN JOB OF HOLDING THE PRESIDENT TO ACCOUNT – BECAUSE YOU HAVE BECOME THE PRESIDENT.
3. CONFIDENTIALITY: IN A BUSINESS SETTING THE RULE IS CRYSTAL CLEAR—STRICT CONFIDENTIALITY APPLIES. BUT A UNIVERSITY IS A QUASI-PUBLIC INSTITUTION, AND FOR ME IT IS OKAY FOR FACULTY AND STUDENT BOARD MEMBERS TO SPEAK UP ABOUT DECISIONS THAT AFFECT THEM. YOU'RE NEVER GOING TO STOP THEM ANYWAY; STUDENT REPS ARE ALWAYS GOING TO OPPOSE A TUITION HIKE, SO YOU MIGHT AS WELL BOW TO THE INEVITABLE. BUT IN EXCHANGE, YOU CAN ASK THEM NOT TO OUT THE OTHER BOARD MEMBERS. AND YOU CAN ASK THEM TO GIVE CREDENCE TO THE FAIRNESS OF THE DECISION-MAKING PROCESS.

OF COURSE, NONE OF THIS APPLIES TO IN-CAMERA SESSIONS, WHERE EVERYTHING - EVEN THE SUBJECT MATTER OF THE DISCUSSION - MUST REMAIN CONFIDENTIAL. NOR WILL IT APPLY TO BOARDS WITH OPEN MEETINGS, A BAD DEVELOPMENT IN MY VIEW—ONE THAT TURNS THE BOARD INTO A DEBATING SOCIETY AND DRIVES THE REAL DECISION-MAKING DOWN TO THE BOARD COMMITTEES OR, EVEN WORSE, TO THE ADMINISTRATION ACTING ON ITS OWN.

ROLE OF THE BOARD CHAIR

I NOW TURN TO THE ROLE OF THE BOARD CHAIR. LIKE CHOOSING YOUR PARENTS, MY ADVICE TO ALL INCOMING PRESIDENTS IS TO CHOOSE YOUR CHAIR WISELY. I'VE BEEN EXTREMELY LUCKY IN MINE. MY FIRST WAS DR. JOHN HAMM, A FORMER PREMIER OF NOVA SCOTIA AND A KING'S GRAD, WELL RESPECTED ACROSS THE POLITICAL SPECTRUM FOR HIS WISDOM, HIS PROBITY AND HIS COMMON SENSE. AND NOW I HAVE DALE GODSOE, ONE OF CANADA'S FOREMOST BOARD LEADERS IN BOTH BUSINESS AND NONPROFITS, A FORMER CHAIR OF ANOTHER UNIVERSITY (MSVU) AND THEN FOR TEN YEARS A VICE PRESIDENT EXTERNAL OF DALHOUSIE.

WHAT THEN IS THE JOB OF THE CHAIR, SEEN THROUGH THE EYES OF A PRESIDENT? IT IS THREEFOLD: TO CHEERLEAD WITHIN THE UNIVERSITY (TO MAKE THE STUDENTS AND THE FACULTY FEEL GOOD ABOUT THEMSELVES AND THEIR SCHOOL); TO STAND UP FOR THE UNIVERSITY OUTSIDE (TO KEEP THE ALUMNI AND THE COMMUNITY ON SIDE WITH THE MISSION); AND TO PRESERVE THE ASSETS AND INTEGRITY OF UNIVERSITY.

OF COURSE, MUCH OF THIS WORK IS DELEGATED TO THE PRESIDENT. BUT THE CHAIR ALWAYS NEEDS TO STAND BESIDE HIM, AND SHE NEEDS TO BE READY TO STEP FORWARD INTO THE SPOTLIGHT IF THE PRESIDENT NEEDS A PUBLIC SHOW OF SOLIDARITY. BECAUSE A PRESIDENT DOESN'T NEED MUCH HELP WHEN HE'S RIGHT. HE NEEDS IT MOST WHEN HE'S WRONG.

BEHIND THE SCENES, IT'S DIFFERENT. THERE, THE CHAIR HAS THE RIGHTS THAT WALTER BAGEHOT ASCRIBED TO THE MONARCH: THE RIGHT TO ADVISE, THE RIGHT TO ENCOURAGE, AND THE RIGHT TO WARN. WHEN SHE SEES THE

PRESIDENT HEADING IN THE WRONG DIRECTION, THESE RIGHTS MORPH INTO DUTIES. ON AT LEAST THREE OCCASIONS MY BOARD CHAIRS WARNED ME – GENTLY, BUT FIRMLY – BECAUSE I CAN BE HEADSTRONG. LUCKILY FOR KING’S I LISTENED. AND IT WAS MUCH EASIER TO TAKE THE HINT WHEN THEY SAID “OF COURSE I WILL SUPPORT YOU WHATEVER YOU DECIDE”.

PRESIDENTS OFTEN FACE ANOTHER PROBLEM. IT CAN BE LONELY AT THE TOP, AND SOMETIMES PEOPLE WON’T TELL YOU WHAT’S REALLY GOING ON. AS WARREN BUFFETT SAYS, “IF YOU’VE BEEN IN THE GAME FOR A WHILE, AND YOU CAN’T FIGURE IT OUT WHO IS THE PATSY, YOU’RE THE PATSY”. IT’S THE BOARD CHAIR’S JOB TO TELL YOU WHEN YOU’RE THE PATSY.

I HAVE A FEW OTHER QUICK POINTS ABOUT PERSONAL RELATIONS BETWEEN THE PRESIDENT AND BOARD CHAIRS:

1. “ALWAYS AVAILABLE” IS THE IDEAL. I WELL REMEMBER HENRY HICKS, AN EMINENT PRESIDENT OF DALHOUSIE FROM THE 1960’S TO THE 1980’S, TELLING ME THAT HIS BOARD CHAIR–THE EQUALLY EMINENT DONALD MCINNES, SENIOR PARTNER IN OUR LAW FIRM – NEVER KEPT HIM WAITING MORE THAN FIVE MINUTES WHENEVER HE CALLED. THAT’S TOUGH TO DO, BUT YOUR PRESIDENT WILL DRAW GREAT COMFORT IF YOU RESPOND QUICKLY. (JOHN HAMM AND I USED TO HAVE “DOCTORS GRAND ROUNDS” BY TELEPHONE AT 7:00 A.M. ABOUT THREE MORNINGS A WEEK, AND I HAVE REACHED DALE GODSOE BY TELEPHONE EVEN IN KATMANDU.)
2. ALWAYS BE UPBEAT, AT LEAST IN PUBLIC -- AND WHENEVER POSSIBLE WITHOUT DISASSEMBLING, IN PRIVATE AS WELL. UNIVERSITIES ARE FICKLE PLACES, AND OPTIMISM ALONE CAN ACTUALLY LIFT THEM UP BY THE

BOOTSTRAPS — LIKE BARON MÜNCHHAUSEN, THE 18TH CENTURY FICTIONAL CHARACTER WHO FAMOUSLY ESCAPED FROM QUICKSAND BY PULLING HIMSELF UP BY HIS OWN HAIR!

3. AFTER YOUR BOARD'S IN-CAMERA SESSION AND IN THE ANNUAL PERFORMANCE REVIEW, BE SURE TO TELL YOUR PRESIDENT THE STRAIGHT GOODS. YOU CAN VARNISH YOUR WORDS A BIT, BUT THE KERNEL MUST BE THERE, LEST YOU DEPRIVE HIM OF THE OPPORTUNITY TO MEET THE UNIVERSITY'S EXPECTATIONS – THAT WOULD BE BOTH BAD MANAGEMENT, AND GROSSLY UNFAIR.
4. IF ALL ELSE FAILS, ACT QUICKLY TO GET RID OF YOUR PRESIDENT. A BOARD— AND THE BOARD CHAIR ABOVE ALL – HAVE NO MORE IMPORTANT DUTY THAN TO HIRE AND FIRE THE PRESIDENT. YOU'LL KNOW IN YOUR GUT IF YOU'VE MADE THE WRONG CHOICE. WHEN THAT HAPPENS, DON'T LEAVE YOUR INSTITUTION AND YOUR PRESIDENT TWISTING SLOWLY IN THE WIND. (MY FAVOURITE DEPARTURE STORY IS THAT OF CLARK KERR, PRESIDENT OF THE UNIVERSITY OF CALIFORNIA FROM 1958 – 1967. WHEN HE WAS TURFED OUT AS A “DANGEROUS LIBERAL” BY RONALD REAGAN, THE NEWLY ELECTED REPUBLICAN GOVERNOR OF CALIFORNIA, HE FAMOUSLY SAID: “I LEAVE AS I CAME: FIRED WITH ENTHUSIASM.”)

ROLE OF THE PRESIDENT

AND NOW, LET ME TURN TO THE ROLE OF THE PRESIDENT. WHAT ARE HIS “GOOD GOVERNANCE” DUTIES?

1. KEEP THE BOARD CHAIR INFORMED: THIS INCLUDES THE GOOD, THE BAD - AND DEFINITELY THE UGLY. YOUR BOARD CHAIR IS THE PERSON WITH THE FIDUCIARY DUTY OF PRESERVING THE ASSETS – PHYSICAL, FINANCIAL AND ESPECIALLY REPUTATIONAL – AND SHE SIMPLY HAS TO KNOW.
2. SEEK THE CHAIR’S ADVICE: ESPECIALLY IF YOU HAVE ALREADY DECIDED ON YOUR COURSE OF ACTION. MY BOARD CHAIRS HAVE OFTEN TALKED ME DOWN OFF A LEDGE I’VE ALREADY CLIMBED OUT ON. THANK YOU, JOHN & DALE!
3. KEEP SELECTED BOARD MEMBERS INFORMED: I DON’T MEAN A KITCHEN CABINET WITH PRIVILEGED RIGHTS TO INFORMATION; THAT’S A NO-NO. I MEAN PARTICULAR BOARD MEMBERS WITH A SPECIAL INTEREST IN A PARTICULAR TOPIC. THEY NEED TO KNOW YOU’RE ON TOP OF THE THINGS THAT ARE NEAR AND DEAR TO THEM.
4. ALWAYS GET BACK TO BOARD MEMBERS WHO HAVE TRIED TO GET IN TOUCH WITH YOU: THE SAME DAY IF AT ALL POSSIBLE.
5. ATTEND BOARD COMMITTEE MEETINGS IF YOU SHOULD, AND AVOID THEM WHEN YOU SHOULD. THE TEST IS NOT WHETHER YOU CAN ADD VALUE. IT’S WHETHER THE COMMITTEE NEEDS SOME AIR, FREE OF YOUR HOVERING PRESENCE. IF THEY DO, LEAVE THEM ALONE.
6. WHEN EVERYTHING GOES WRONG, THREE THINGS:
 - A. SHOW YOUR FACE
 - B. OVER-COMMUNICATE
 - C. TRUST YOUR TEAM

IF YOU AS A BOARD CHAIR FIND YOUR PRESIDENT IS NOT DOING THESE THINGS, I SUGGEST YOU TAKE HIM OUT FOR A GENTLE TALK OVER A COLD BEER.

DEALING WITH BOMB SHELLS

LET ME TURN NOW TO THE EXPLOSIVE ISSUES WE ALL HAVE TO FACE THESE DAYS ON ISSUES SUCH AS SEXUAL HARASSMENT, INSENSITIVITY TO RACIAL TENSIONS, AND ELITISM AT THE EXPENSE OF THE LESS WELL OFF. YOU CAN'T PLAN AHEAD FOR THESE, BECAUSE EACH CASE IS UNIQUE. AND YOU'RE ALWAYS IN REACTION MODE, OFTEN UNDER A VOW OF CONFIDENTIALITY. SO, ARE THERE ANY PRINCIPLES TO GRAB HOLD OF? I SAY YES: THE PRESUMPTION OF INNOCENCE, AND FREEDOM OF SPEECH.

NO MATTER HOW MUCH PRESSURE WE FEEL, UNIVERSITIES MUST NOT RUSH TO JUDGEMENT. WE MUST ALWAYS FOLLOW THE BASIC PRINCIPLE OF FUNDAMENTAL JUSTICE – THE PRESUMPTION OF INNOCENCE - NO MATTER HOW LONG IT TAKES. WHY? BECAUSE THIS PRINCIPLE RESTS ON FAIRNESS, AND FAIRNESS IS A CORE VALUE OF ANY JUST SOCIETY. SINCE EVERY INDIVIDUAL IS DISTINCT AND UNIQUE, EVERYONE DESERVES TO BE JUDGED BY THEIR ACTIONS, NOT BY ANYONE ELSE'S, AND NOT AS A REPRESENTATIVE OF A CLASS OR GROUP, AND NOT AS A SYMBOL OF SOMETHING BIGGER. EITHER WE ARE ALL EQUAL BEFORE THE LAW, OR NO ONE IS. YOU CAN'T IDENTIFY A GENERAL SOCIAL PHENOMENON AND JUST ASSUME AN INDIVIDUAL IS GUILTY. YOU CAN'T TAKE ANY ALLEGATION MERELY ON FAITH. YOU CAN ONLY ACT AFTER AN INQUIRY THAT IS APPROPRIATE TO THE GRAVITY OF THE ALLEGED OFFENCE. I'M NOT SAYING WE SHOULDN'T HAVE BETTER WAYS OF DEALING WITH THESE ISSUES THAN WE DO NOW – THERE SHOULD BE, AND MAYBE UNIVERSITIES SHOULD LEAD THE WAY. I'M

ONLY SAYING THAT WHATEVER SYSTEM WE HAVE NEEDS TO RESPECT THE PRESUMPTION OF INNOCENCE.

THE OTHER PRINCIPLE IS FREEDOM OF SPEECH. THIS IS NOT THE SAME AS ACADEMIC FREEDOM, THOUGH THE TWO ARE CLOSELY CONNECTED SINCE YOU CAN'T HAVE ACADEMIC FREEDOM WITHOUT FREEDOM OF SPEECH. AND THERE CERTAINLY ARE LIMITS TO FREEDOM OF SPEECH IN OUR UNIVERSITIES, JUST AS IN SOCIETY AS A WHOLE. BUT TOO OFTEN TODAY WE IN UNIVERSITIES SELF-CENSOR OUR SPEECH, IN DEFERENCE TO THE NOTION THAT OUR CAMPUSES SHOULD BE A "SAFE SPACE" FOR STUDENTS. IT'S A BALANCE ALWAYS, AND A DIFFICULT ONE TO BE SURE. BUT THE WHOLE PURPOSE OF EDUCATION IS TO OPEN UP YOUNG MINDS TO NEW IDEAS, ESPECIALLY THOSE THAT ARE PAINFUL OR DISLOCATING. BUT THROUGH FEAR OF CRITICISM BY OUR FEES-PAYING STUDENTS, OR BY SOCIETY AT LARGE FROM WHOM WE GET THE REMAINDER OF OUR REVENUE, WE ARE IN DANGER OF HANGING BACK, OF SHORT-CHANGING STUDENTS THROUGH SELF-CENSORSHIP. RICKY GERVAIS, THE BRITISH COMEDIAN, SAID IT BEST: "JUST BECAUSE YOU FEEL OFFENDED DOESN'T MEAN YOU'RE IN THE RIGHT. NO ONE HAS THE RIGHT NOT TO BE OFFENDED." AND I WOULD ADD, ESPECIALLY WHEN ENCOUNTERING NEW IDEAS IN AN INTELLECTUAL SETTING.

SO THE MESSAGE HERE IS SIMPLE. BOARDS AND PRESIDENTS SHOULD SUPPORT EACH OTHER IN DIFFICULT TIMES. THEY SHOULD RESIST PRESSURE FROM THE PUBLIC, OR THE ALUMNI, OR THE FACULTY, OR THE STUDENTS, FOR QUICK FIXES THAT IGNORE THE FUNDAMENTAL PRINCIPLES OF JUSTICE OR OF FREE SPEECH. IF THEY DON'T EMBRACE THESE, UNIVERSITIES WILL FORFEIT THEIR RIGHT TO A LEADING ROLE IN SHAPING OUR SOCIETY.

CONCLUSION

AS I WIND DOWN, HERE IS THE STORY OF THE FIFTEEN YEAR OLD BOY IN HIS GRADE 10 HIGH SCHOOL ENGLISH CLASS. IT'S LATE JUNE AND HE IS SEATED AT THE BACK OF THE ROOM. AS THE TEACHER DRONES ON THE BOY IS GAZING LONGINGLY OUT THE WINDOW TO THE GREEN GRASS JUST OUTSIDE. IT IS SUNNY AND WARM, THE LEAVES ARE OUT, THE BIRDS ARE CHIRPING, THE BEES ARE BUZZING, AND THE SCENTS OF SUMMER ARE WAFTING GENTLY THROUGH THE OPEN WINDOWS. SUDDENLY, THE TEACHER BREAKS HIS REVERIE: "JOHNNY, CAN YOU TELL US THE DIFFERENCE BETWEEN IGNORANCE AND APATHY"? JOHNNY LOOKS UP AND SAYS, "I DON'T KNOW AND I DON'T CARE". I SUPPOSE THE MORAL OF THIS LITTLE STORY IS THAT IT IS POSSIBLE TO REACH THE RIGHT ANSWER BY CHANCE. BUT A BETTER WAY IS TO GET THERE THROUGH DISCUSSION AND DEBATE, AS YOU ARE BY ATTENDING THIS CONFERENCE. CONGRATULATIONS ON TAKING TIME TO DO THIS IMPORTANT WORK.

WHEN I WAS YOUNG, MY FATHER USED TO QUOTE FROM GRAY'S "ELEGY IN A COUNTRY CHURCHYARD." IT'S 1750, AND THE POET IS STANDING IN THE CHURCHYARD AT DUSK, GAZING DOWN AT THE MOUNDS OF EARTH WHERE THE POOR, UNLETTERED FOLK OF THE PARISH OF STOKE POGES LIE BURIED. THEY NEVER HAD A CHANCE IN LIFE, BECAUSE THEY NEVER HAD AN EDUCATION. HE WRITES:

FULL MANY A GEM OF PUREST RAY SERENE,
THE DARK UNFATHOM'D CAVES OF OCEAN BEAR:
FULL MANY A FLOW'R IS BORN TO BLUSH UNSEEN,
AND WASTE ITS SWEETNESS ON THE DESERT AIR.

NO CALLING IS MORE UPLIFTING, AND NONE OF GREATER WORTH, THAN YOUR SERVICE TO HIGHER EDUCATION IN CANADA. THANK YOU! AS FOR ME, I AM AN ACCIDENTAL PRESIDENT, HAVING FALLEN INTO THIS JOB LATE IN LIFE. I HAVE NEVER DONE ANYTHING MORE CHALLENGING, MORE INVIGORATING AND MORE WORTHWHILE.

THANK YOU FOR LISTENING.

George Cooper

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