Testimony to the Ohio General Assembly
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Good afternoon. I am Paul Lingenfelter, President of the national association of State Higher Education Executive Officers, commonly known as SHEEO. I have been invited to testify today on the provisions of H.B. 2 and H.B. 85.

It is a special honor to speak to a committee of the Ohio General Assembly. I grew up in Lorain County, where I graduated from Elyria High School in 1963, the same year the Ohio General Assembly created the Board of Regents.

I wasn't paying much attention to the politics of higher education in 1963, but since then I've read the history.

In 1963 the U.S. was still responding to Sputnik and most states were trying to figure out how to educate the baby boom. In Ohio the Speaker of the House, Roger Cloud, became frustrated because the competition among universities for capital projects and communities seeking branch campuses was getting unmanageable. A study by the Legislative Service Commission led the General Assembly to create the Board of Regents.

The first Chancellor of the Board of Regents was John Millett. He was a well-regarded political scientist, President of Miami University, and a national leader in higher education. Before accepting the job he met with Governor Jim Rhodes to make sure the Governor didn't oppose his appointment. Part of the reason he checked with the Governor was because as President of Miami Millett had worked closely with Rhodes' predecessor, Governor Mike DiSalle; consequently, some in the Republican Party had mixed feelings about Millett.

Millett immediately hired James M. Furman, to be Executive Officer of the Board of Regents. Why did he hire Furman? Because Furman had the skills needed to work effectively in the political process. He also had done the staff work for the Legislative Service Commission that led to the Board of Regents.

I mention both Millett and Furman, because the two of them exemplify the essential ingredients of developing effective public policy in higher education. A state needs expertise in the policy issues facing higher

education blended with skill in the practical arts of the political process. Furman, by the way, later was the state higher education executive in both Washington and Illinois before becoming executive vice president and a director of the MacArthur Foundation.

The fundamental question faced in every state is how to simultaneously achieve:

- Excellence in instruction, research, and public service;

  and

- Responsiveness to state priorities and needs.

This is a tough problem. Colleges and universities need lot of autonomy and freedom to achieve excellence. This isn't just because they want it or like it. Human progress and the advancement of knowledge depend on the freedom to create new ideas and experiment with fresh approaches. The kind of talent required for world-class teaching and research is rarely willing to work in a bureaucracy.

At the same time, the states and the national government together spend about $140 billion to support higher education in order to meet public priorities – the education of our people and research and services to address important human problems. The public has a right to demand results.

So the key question is: How do you combine autonomy and freedom with accountability for results?

SHEEO organized the National Commission on Accountability in Higher Education two years ago to work on an answer to that question. It was co-chaired by two former Governors, Dick Riley, Democrat of South Carolina (also former U.S. Secretary of Education), and Frank Keating, Republican of Oklahoma. Its members included three legislators, three SHEEOs, three college or university presidents, and two business leaders. The report of the Commission is called: *Accountability for Better Results: A National Imperative for Higher Education.*

The first major conclusion of this study is that the purpose of accountability is not to create reporting exercises, and it is not to figure out who to blame when things don't work well; the purpose of accountability is to get better results.

The second major finding is that states can get better results only when they have clear goals and a shared commitment to reach them. (The Blue Ribbon Committee of the National Conference of State Legislatures, *Transforming Higher Education: National Imperative, State Responsibility,* emphasizes this point.)

And the third major finding is that this work requires a division of labor. Nobody has all the resources, all the expertise, and all the power needed to create a system of higher education able to meet the demands of the 21st century. The federal government, state legislators, governors, business and civic leaders, state boards and executives for higher education, institutional trustees and presidents, faculty, and students all have to be part of the action.

Effective accountability in higher education is about: Clear goals, shared commitment, rigorous measurement of results, and collaborative, self-disciplined work to improve performance.

In the 1960s, according to John Millett's book, *Politics and Higher Education,* the Board of Regents *had a clear objective*; it wanted "to locate a two-year campus within 30 miles of every person in the state and to locate a four-year campus in all eight major urban areas of the state." With the support of the Governor and General Assembly, the Board succeeded. From 1964 to 1972, eight short years, enrollments in public institutions more than doubled from 128,000 to 292,000.

In 2007 every state faces a challenge much tougher than doubling the size of the public higher education system in ten years. Doubling the numbers in the 1960s wasn't too difficult because a lot more students were knocking on the door. The challenge today is to double the *rate* of degree attainment (compared to the 1960s), because the manufacturing jobs that made Lorain County prosperous in 1963 are mostly gone. Today virtually every young person needs some postsecondary education to have a viable future, and most working adults will need to upgrade their skills before they retire.

So what will it take to do that job?

Everybody is talking about this problem, and some states, including your neighbors Indiana and Kentucky, are making more progress than others. In my opinion, these are the four key ingredients in states making good progress:

1. Focus on a few statewide goals, create a public agenda;

2. Build a broad coalition of the state's leaders in support of that agenda: legislators, the Governor, business, civic, and educational leaders all have to get involved;

3. Develop strategies to improve results and meet specific state goals;

4. Establish the capacity to track progress, make adjustments, and sustain the effort over many years.

House Bill 2 and House Bill 85 are two responses to this need. House Bill 2 would make the Chancellor of the Board of Regents directly accountable to the Governor, make the Board of Regents an advisory body, and vest the current powers of the Board with the Chancellor. House Bill 85 would strengthen the powers of the Board of Regents, and give the Governor a greater voice in the selection of the Chancellor.

I would be happy to answer questions about how various structures and similar proposals have worked in other states, but in the interest of time, I'll not burden you with a detailed analysis. The bottom line, in my view, is that House Bill 85, in the long run, will yield better results for Ohio.

Why? The argument boils down to three issues:

- Sustainability;
- Professional capacity; and
- Separation of powers.

It is absolutely necessary for governors to be engaged in higher education public policy to meet these challenges, but the normal powers of the executive branch – influence over legislation, fiscal powers, appointment powers, and the bully pulpit – enable governors to play a decisive, if not a totally controlling role.

We don't have many examples of governors who have the range of powers envisioned by House Bill 2, but it doesn't take much imagination to recognize the potential problems of vesting this amount of power for implementing public policy for higher education in the executive branch of government.

Governors typically change every four to eight years. Continuity between the policy agenda of different governors is unusual; in fact most of the forces at play lead governors to disassociate themselves from their predecessor's work. In addition, a change of the chief executive routinely leads to massive changes in the senior leadership of state agencies. If the work of the agency is largely administrative and technical, this is not a problem. If the work is complex and depends on expertise and accumulated experience, high turnover *is* a problem.

Governors naturally compete for political standing and power. Their political aspirations and the political aspirations of their competitors inevitably become intertwined in their policy initiatives. A governor who wants to institutionalize policy initiatives will benefit from sharing power and credit. Executive leaders can accomplish *more* by working through entities such as the Board of Regents, which includes civic and business leaders from different regions and political persuasions. Kentucky has established educational goals with a twenty-year time horizon. It will take more than one governor's leadership to yield progress over twenty years.

Finally, the American political system has been very effective in meeting challenges while avoiding the concentration of power. The checks and balances in our political system force us to consider different perspectives and develop a working consensus on critical issues. Sometimes complex issues and the glacial rate of change in higher education tempt us to take short-cuts, but in the long run, we get better results when checks and balances and public debate force us to build a broadly-based consensus.

The Federal Reserve Board is a good example of a highly professional governmental entity assigned a complex job, with a balance between delegated authority and accountability. No governor or legislature should delegate the powers of appropriating funds or establishing broad public policy for higher education to an appointed board. But there are some decisions that *should* be delegated to a non-partisan board. Moreover, the public, the legislature, and the governor can all benefit from the advice of an independent, highly professional higher education policy staff, supervised by a credible board of citizen leaders.

Statewide coordinating boards for higher education were invented to balance the competing goals of excellence, institutional freedom, and public accountability. This can be a lonely job; at times both

institutions and the political process have conspired to make coordinating boards weak and ineffective. But the results have been good when political and educational leaders have built a strong professional staff and relied on a broadly based, citizen board to help them work through higher education policy issues.

John Millett's last book is entitled, *Conflict in Higher Education: State Government Coordination versus Institutional Independence.* He concluded with these observations about the future:

"All types of boards – governing, coordinating, and advisory – will improve their ties to the executive branch of state government, while resisting crude and highly partisan executive and legislative pressures.

State governments will increasingly recognize the need for effective coordination of higher education, whatever the organizational arrangements they may adopt to this end.

Public institutions of higher education will gradually come to recognize and accept the proposition that university governance must be reconciled with state government concerns about higher education.

Administrative machinery, however, is not the bottom line in higher education. Institutional effectiveness, social responsibility, governmental accountability, and the preservation of a free society are the true goals of such education. Let us hope that they will always remain its goals."

I am sure these are the goals we all have for higher education in Ohio. Thank you for the opportunity to testify.