

Revising the *University of New Brunswick Act*: An Opportunity for Genuine Reform

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1. Terms of Reference, Timing and the Problem of Evidence.

To date the *UNB Act* review process has been characterized by poor communications, which can breed anxiety, distrust and cynicism. The justification of “efficiency” is too vague and it begs the question: how and by whom is efficiency defined? Most faculty members, who teach, research and publish for a living, are analytical people and they need more of an explanation from the Board of Governors. They would like to know, for example, if the idea behind this initiative came from within the board, from within the ranks of senior administration, or was suggested by someone or some organization outside of the UNB community.

In case the Board of Governors is unaware of the climate on university campuses in general, I will provide some broad context. Across Canada university faculty feel under pressure from external forces as well as internal constraints such as budgetary challenges, the decline in full-time faculty, the expansion of administrative ranks and new demands for planning, reporting and other administrative tasks. Many feel that higher education is under attack from the corporate sector and its political allies. This is not necessarily a theoretical or ideological debate. In New Brunswick in 2007 we had a huge battle over the future of UNB Saint John and two branches of the Université de Moncton where these issues were dramatically and starkly revealed. Internationally, university teachers are worried by trends such as corporate leaders, who have never worked in the field of education, posing as experts in higher education. One of the chief goals of these leaders, as evidenced in Britain’s Browne Report of 2009, is to weaken the role of faculty in helping to govern universities.

The classic university has (or had) both mechanisms of “shared responsibilities” (Giroux p. 16) and an atmosphere of collegiality, where the teaching staff felt it was both trusted and respected. Bicameral governance (boards of governors and senates) was in place by the 1950s; the 1966 Duff-Berdahl Report recommended what became the norm: boards of governors that included faculty; senates that included student members; interaction between the boards and senates and openness and transparency (Jones, Shanahan, Goyan 2004).

Sadly, most faculty members at UNB in recent years have grave concerns about the institution’s future and their role in it. In this respect the timing of the *UNB Act* review could hardly be worse.

A representative from the board who visited the UNBSJ Senate in the Fall of 2014 explained that the proposed changes were motivated by administrative convenience, such as the need to be able to sell property belonging to the university in a timely fashion. This seems like a narrow set of reasons on which to embark on a radical reorganization of the Act, which is UNB's constitution. To use an analogy from constitutional politics, the Canadian public would not support changing the size or powers of Parliament in order to expedite the sale of government lands. Similarly we would not amend Canada's Constitution to allow the House of Commons to abolish the Senate or the Supreme Court of Canada, or dismantle most of the Criminal Code by allowing the federal cabinet to simply pass regulations governing criminal matters. Checks and balances have evolved for good reasons.

The university community requires full disclosure of the reasons behind this initiative. We need to know the real reasons why this exercise is being pursued, and more importantly, **who** has proposed it. In addition, it would be useful to see comparative research on how other universities across Canada are handling these issues. Preliminary research suggests that UNB is the only Canadian university contemplating these types of governance changes. If so, why is the Board of Governors pursuing this radical course of action, particularly when it hardly seems a burning issue for students, faculty or alumni? The plan seems not only counter intuitive to strengthening an institution in crisis, but also likely to provoke conflict.

Constitutions, much like legal contracts, developed to provide formal, agreed-upon rules for governing organizations and business transactions. They recognize that goodwill alone is insufficient in running political systems, organizations or a market economy. Constitutions also contain 'checks and balances' that ensure that no one person or group wields an unreasonable degree of power. The *UNB Act* is our constitution and the checks and balances in it should be strengthened, not weakened.

In the wake of the unprecedented lockout of 2014, and in the midst of an effort to 'Build a Better UNB,' this initiative is viewed with suspicion by many members of the university community. On top of this, we are dealing with a senior administrative responsibility review, a re-branding exercise and a review of academic programs and will possibly be adjusting our domestic and international recruitment strategy and delivery. Soon we will be into a new round of collective bargaining. Faculty is expected to monitor, take part in and respond to all of these initiatives on top of conducting their teaching, research and publication and community work.

Proposing a governance model that is less democratic, less transparent and more discretionary is hardly a contribution to 'building a better UNB.' A cynical observer could conclude that the administration is attempting to streamline and circumvent the university's collegial and consultative processes in order to implement controversial, top-down changes. How will the university be able to fulfill its official mission of creating "the premier university environment for our students, faculty and staff in which to learn, work and live" by making its governance structure less democratic and less transparent?

Consultation at a university should not be about “what will happen,” but “what should happen.” For example, it is not acceptable for the committee to simply announce to the university community that the Act is outdated and that many of its statutory provisions need to be removed and various issues addressed in by laws that the Board itself can alter. What is the proof of this allegation and what are the dangers of altering the Act in this matter? Also, how are other universities addressing these issues? I am not aware of any trend in university governance in Canada to (1) reduce the size of boards (2) reduce government involvement on boards (3) make boards less representative, less transparent and accountable. If I am mistaken on this point, then I need to be provided with the evidence.

Universities as public institutions that deliver education to citizens should lead by example, striving to be not only efficient, but also inclusive and transparent. The formal roles of students and faculty in university governance are a key part of what a university is. This tradition goes back 50 years or more. Alumni are also very important to the university and deserve a place at the table.

The optics of this exercise are not ideal, especially given the perception among many faculty members that the administration is claiming to the public that the President is “the university,” or that the faculty are a ‘problem.’ In fact, the faculty is the heart and soul of the university, and any changes to the *UNB Act* should safeguard not only its collegial input, but also the formal role of students in university governance.

The current exercise in the eyes of many is a dangerous precedent and a serious threat to the well being of UNB in general and to the survival of UNB Saint John in particular. It seems either ill considered and designed to provoke a conflict with faculty. In *The College Administrator’s Survival Guide*, Gunsalus advises that the opening stages of any negotiation should be guided by one goal: “to build rapport and set the tone for what follows” (p.83). The *UNB Act* exercise to date does not seem to meet this criterion.

On the other hand, this exercise does present an opportunity for meaningful reform of the UNB Board of Governors, and it is this spirit that I have prepared this commentary.

One added point: the comments that follow reflect my opinion that governance of the University of New Brunswick should be based on the usual principles found in mission statements, plus a commitment to diversity and inclusion. The current UNB Mission Statement, unfortunately, makes no mention of diversity and therefore is outdated. This issue does not relate to the mandate on the *UNB Act* committee but it is important and should be addressed.

2. Appointment of the Board:

There are three ways to select a university board: (1) appointment (2) election (3) a combination of 1 and 2. In addition, boards can be appointed internally, by external parties or by a combination of both.

There is a danger that when one group dominates a board, either through government appointees or members appointed by the current board, that membership becomes “self-perpetuating” (Jones 2012). This appears to be a potential issue at St. Francis Xavier University, where the board can appoint up to 21 members, and at Mount Allison University, whose board can appoint 12 out of 22 members. In contrast to SFXU and Mount Allison, the board of governors for Ryerson University appoints only 2 out of 24 members.

The proposed revised *UNB Act* is extreme on this question, by refusing to guarantee representation by fixed numbers of elements of the university community, including alumni, with those representatives chosen by those constituencies, not the board or the provincial government.

One of the few examples I could find of a “self-perpetuating” board in Canada is at York University. Appointment is dictated by board bylaws, not provincial legislation, but there is a clear protocol for ensuring that the board be as diverse as possible. In terms of internal members, the bylaws mandate the appointment of two senators, two students and two non-academic staff. The external members include two appointees from the alumni association and others who “broadly reflect the public community.” The board’s appointment protocol document mentions sectors such as the arts, business, industry, labour, the professions, the sciences and “the community at large” (York University 2015). This cross section of interests is something UNB should emulate in legislation. York University is a large and diverse university located in a large and pluralistic community. In this milieu ‘trusting’ the board to embrace diversity is less of a risk that it would be with the UNB case. We have enough diversity challenges now; moving to a “self-perpetuating’ board would makes things worse.

I fear that the lack of a legislatively-mandated quota for representation by faculty, alumni and students on the UNB Board would be a retrograde step and undo almost 50 years of collegial and inclusive governance.

Non-profits are often challenged by the lack of criteria in recruiting members; this can lead to personal connections and other idiosyncratic factors, as opposed to merit and representativeness, dictating appointments. Every person employed at UNB has to meet some type of formal job description criteria- why not apply this principle to appointments to the board? Guaranteeing various sectors of the university community a formally delineated place at the table will go a long way towards ‘Building a Better UNB,’ one that is diverse and inclusive.

There is a strong argument for maintaining an element of oversight by the provincial government in UNB governance. Provincial appointments are standard practice across Canada, even for smaller boards. Twelve of the 23 members of the University of Manitoba board, for example, are appointed by the provincial government. I fear that universities that try to minimize provincial government involvement may, in the long run, provoke radical intrusions by future governments into governance, causing an erosion of university autonomy.

There is a public interest aspect to the university's mission, especially in Canada, in support of government involvement. The provincial government is the major funder of the university. It makes sense for the *UNB Act* to retain the right of the provincial government to appoint a specific number of members. Members of the provincial civil service should be excluded.

Each university board in the Atlantic Canada region has distinct membership characteristics reflecting local conditions and institutional history. Many of them have appointees from the provincial government; for Cape Breton University and Dalhousie University the number is 12; at St. Mary's University it is only 2. There are no provincial government appointees at St. Francis Xavier University. UPEI has an interesting requirement- that the president of Holland College be a member of the university board. The Cape Breton University board includes two members appointed by Enterprise Cape Breton Corporation, the local regional development agency (which recently was disbanded by the federal government). Mount St. Vincent University, St. Francis Xavier University and St. Mary's University have representation from the Roman Catholic church. Mount Allison University and Acadia University have formal representation by the United Church and the United Baptist Convention of the Atlantic provinces.

3. Board size:

Suggesting that a university board be reduced in size, given the examples of other boards across Canada, in theory is not worrisome. I am more concerned about the composition of the board and how it is appointed. Yet the move to shrink the size of the board has to be weighed against two genuine concerns:

1. The danger of less diversity and fewer voices around the table.
2. The risk to the interests of the Saint John campus, which in my view already feels neglected under the current board, being further compromised.

In 1997 the average Canadian university board had 27 members (Jones 2012). Looking at other universities in the Atlantic region, we see that the boards of STU, UPEI, St. Mary's University and Mount St. Vincent University number 26, 26, 30 and 39 respectively. The St. Francis Xavier board, under its most recent university act, has a minimum of 26 and a maximum of 46. Cape Breton University has a board of 40 and Dalhousie has a board with 30 members. In most cases these boards include a number of ex officio members. In some cases they include 'observers.' A number of these institutions are smaller than the combined enrolments of UNB and none of them have campuses in two different cities.

Outside of the region, boards average around 25 members. The University of Toronto has 25 external and 25 internal members. Trent University has a board of 26 plus 'two Senate visitors.' The boards for Concordia, McGill, Guelph, Queen's, Carleton, Ottawa, McMaster, Windsor, Laurentian, Nipissing, Winnipeg and Manitoba have 25, 27, up to 24, 25, 32, 30, 32, 30, 25, 36, 23 and 23 respectively.

Board sizes in Alberta and British Columbia are dictated by provincial legislation. The Alberta *Post-Secondary Learning Act* establishes board size and composition for the University of Alberta, University of Calgary and Lethbridge University. For example, the chair of the Lethbridge board is appointed by the provincial government. According to the law, the board includes the president and chancellor, 2 alumni, 1 senator, 2 academic staff, 2 undergraduate students, 1 graduate student, 1 non-academic staff member and 9 members of the general public appointed by the provincial government.

Provincial legislation in British Columbia also dictates the size and composition of university boards. Most boards are comprised of 15 members including 8 appointed by the provincial government (two of these are nominated by associated alumni of the institution). An exception is made for UBC because of its size. Its board has 21 members with 11 appointed by the government. Interestingly, the *University Act* states that UBC must maintain a separate senate for its Okanagan campus (I will return to this point below).

It should be noted that the BC and Alberta models have smaller boards, which might meet some of the ‘efficiency’ concerns of the current UNB exercise, but in both cases there is significant representation by provincial government nominees plus legally-protected places at the table for elements of the university community.

American public universities tend to have smaller boards; the average for private universities is somewhat larger, with around 30 voting members. The small size of the public boards is related to the near or total absence of faculty. Public university boards are actually less diverse, possibly because of their smaller size, than the private boards.

Legislative bodies and organizational boards or committees that are small are inherently less democratic than those that are large. This is a basic rule of political science and the sociology of organizations. John Sewell, former mayor of Toronto, wrote the following about police services boards, arguing that larger and more representative boards are in the public interest: “Size does matter, members of small boards fear that exposing differences is impolite, but that inhibition seems not to operate in larger groups, where debate is much more frequent” (Sewell 2010).

Another worrisome aspect is that a smaller board would further isolate the board from not only the public, but also the faculty and other members of the university community. I have taught at UNB since 1999 and have met only two or three board members who are not faculty. In my view, there is widespread concern that the Board of Governors has been provided with a certain narrative about the university by administration officials, and has little connection with the faculty who actually do the teaching, research and curriculum development. In other words, it has become dangerously isolated from one of the main constituencies of the university.

Any proposal to cut the size of the UNB board risks making it less representative and democratic. Given the province’s demographic realities and the inability of UNB to

recruit large numbers of students from other regions in Canada, the UNB system will probably shrink in the future. On this basis it is reasonable to limit the size of the board somewhat. But there should be a minimum and maximum size guaranteed by statute. What makes the UNB situation different is the existence of two campuses- and the Saint John campus has to have formal guarantees for representation in governance.

Related to size of the board is the issue of quorum. Quorum should be set at a reasonable level to ensure that a small group of people are unable to enact policies or make decisions without the input of the larger group.

4. Board Composition:

A university is a non-profit entity and it should not be run like a private sector business entity that reports to shareholders. It has to be guided by the goals of public confidence, accountability and the public interest. Ideally, a board should be representative of the community that the organization serves. In the case of UNB, although the institution does attract some out-of-province and international students, especially for graduate school, the community is primarily anglophone New Brunswick. Diverse boards are better suited to understanding the diverse university community as well as the environment in which it operates. Why should the board be so different in composition from the students and faculty it oversees? Diverse boards “are likely to advocate strengthening the university’s capacity to serve community needs and to ensure greater accountability to the public” (Tudiver 1999 195).

Even private sector boards have been grappling with the issue of gender and racial diversity. As of 2010, 70% of board members of Fortune 100 Companies were white males. Many countries such as Norway have either mandatory quotas or voluntary targets for female members. The reasons cited for broadening the makeup of corporate boards include company reputation, social justice and equal opportunity. Although there is much work to be done on this issue in nations such as the United States, there is an international trend towards making corporate boards more diverse. The same issues apply at our publically funded universities, where women often outnumber men in a number of undergraduate programs. In 2009, the Charest government in Quebec introduced a bill (never enacted into law) that would have forced university boards to be 50% female in composition. The measure was defeated not because of the commendable gender equity goal, but because student and faculty organizations opposed its provision to have 60% of board members appointed from outside the universities. By being silent on gender, the *UNB Act* proposals go against this trend.

It was a well established principle by the last third of the 20th century that boards governing public entities and non-profit organizations should be as diverse as possible in their makeup. Canada has advanced considerably from the early 1960s when the ‘power elite’ was primarily White Anglo-Saxon Protestant in nature (Porter 1965). The Massachusetts Attorney General’s *Guide for Board Member of Charitable Organizations* advises the following: “You should make sure that your board’s process of selecting new members assures diversity of viewpoints and rotation of board members and officers....A

nominating process which invites openness, variety, and change is important to achieving this goal.” (p. 4). This document assumes that a diverse board is a vital board, and warns against the dangers of “becoming labeled as a closed club for ‘insiders only’”(p. 5).

A study of university governance by Jones 2012, citing data from 1997, argued that in Canadian universities governance is shared by two bodies, boards of governors and senates and that in contrast to the United States, where senates are created by boards, both entities tend to be created by provincial legislation. In almost all of the university boards I have looked at so far, the provincial government has a legislatively-mandated power to appoint members. For example, up to 6 members of the Acadia University board (which can be as large as 35) can be appointed by the provincial government. Having a significant number of members appointed by the provincial government makes sense as the province is the major funder of UNB and this is another line of accountability to the public.

UNB is the largest university in the province and is heavily supported by provincial taxpayers. Keeping this in mind, its board should reflect the actual society it serves, not any one economic sector or demographic group. For example, UNB currently deals with several unions and collective bargaining and related issues are a fact of life in Canadian university governance. Yet how many board members are or have ever been members of a union? Are they associated with anti-union or open shop industries? Currently the New Brunswick Teachers Union appoints a member to the board; I am not convinced that this is the best mechanism for ensuring representation by organized labour, but something has to be done to bring some balance to the current skewed situation where business people are so numerous.

Another difficulty, pointed out by Jones, is that people originating from other sectors, such as the business world, do not always understand how universities operate. For example in 2007 a number of New Brunswick political and business leaders professed to be shocked when faculty members spoke out in public against the provincial government’s Post Secondary Education (PSE) proposals, not understanding that faculty enjoy privileges denied to public and private sector employees.

A 1997 study of 45 Canadian universities revealed that 37% of board members were associated with business, 37% with education (this included faculty), 13% from the professions (law, medicine, engineering) and 11% with the NGO sector. In addition, 11% were described as retired (Jones 2012). These figures are obviously outdated but based on that Canadian average, the UNB board appears to be top heavy with business people. At present in the United States (n.a. 2010) roughly half of college and university trustees come from the world of business and that percentage has increased over the last 20 years. This tends to happen at the expense of women and minorities. According to Harvard legal scholar Cass Sunstein, (cited in Bjorklund and Green 2014 225) “homogeneous groups of like-minded people, including investors and executives, tend to adopt narrower and more extreme positions than groups with a diversity of opinion.” Bjorklund and Green suggest that more diverse boards are less likely to simply rubber-stamp controversial decisions lacking analytical support (227). One of their criticisms of current practice is that many

boards tend to approve of the plans of presidents and have little understanding of the student body and its needs.

In order to further understand this issue, I recommend that the UNB board should practice due diligence and analyze its own composition over the last 20-30 years to determine the actual proportion of business representatives. Although recognizing the financial and fund raising acumen of many business people, we don't want to perpetuate old-school thinking that only successful alumni and wealthy donors are capable of governing universities. I note that the vice chair of the University of Lethbridge board, for example, is the director of an art gallery. Other institutions have First Nations elders and labour representatives on their boards.

These comments are not meant to be a criticism of the individuals who have volunteered their time to UNB, but a look at the current members suggests that being a white, middle-aged business person is the main criterion for being appointed to the UNB board, especially when it comes to those appointed by the provincial government. There appears to be one member of a visible minority on the current board, but no First Nations individuals. Although the Université de Moncton exists in large part to serve the post-secondary needs of francophone New Brunswickers, there should be a designated place for francophones on the board of the province's largest university.

Ethnic, cultural and racial diversity at the board level is also important to offset the dominance, at the level of senior university, of white Canadians of British background. A 2004 study by Reza indicated that in the period 1951-2001, 70-95% of Canadian university presidents were of British background, and that most the rest were of European background. 'British' Canadians ranged from 59% to 71% of vice presidents and deans from 1951 to 2001. Recently there was been criticism of the skewed gender patterns in the senior administration on the UNBF campus (UNBSJ performs somewhat better in this area). In 2010, 87% of American university and college trustees were white and most of them were male (n.a 2010). This may be more of a challenge in New Brunswick given our low levels of immigration, but the university should be leading by example.

In terms of the UNB Board I see no need to have the mayors of Saint John and Fredericton as ex officio members; there seems to be no other example of this in other universities in the region. And I would limit the role of emeriti to an ex officio capacity.

In addition to community members, there should be formally-designated student, alumni and faculty representatives. The *Memorial University of Newfoundland Act*, for example, designates four student representatives, one from the Student Union, one from the Graduate Student Union, one from the Grenfell College Student Union and one from the Marine Institute Student Union. In contrast to the American pattern, the tradition in Canadian university governance is to have strong "internal representation" (Jones 2012). This is standard practice at Canadian universities-St. Thomas University for example has students, faculty and alumni of its board.

Recommendations for the Composition of the Board of Governors:

Based on standard practice at Canadian universities: the *UNB Act* should guarantee representation from:

- (1) the broader New Brunswick community, including at least one francophone, one First Nations member and one member of a visible minority. Some thought should be given to representation from organized labour and the non-profit world. Some of these representatives could be appointed by the provincial government (see #5). There could also be mandated totals for women. At the very least there should be a protocol for board composition that reflects the diversity of New Brunswick society. The mission statement of UNB should be updated to recognize social diversity.
- (2) A reasonable number of professors from both of the 2 campuses.
- (3) A reasonable number of students from both of the 2 campuses. It may be desirable to have at least one graduate student representative. Student involvement is also important offset the heavily middle-age nature of most university boards.
- (4) A reasonable number of representatives elected by the alumni.
- (5) A number of community members appointed by the provincial government.
- (6) The board itself should **not** be able to appoint a majority of total members.

These guarantees should be enshrined in legislation and not subject to the whim of future boards of governors.

5. The UNB Senates: Going Back in Time?

The draft *UNB Act* refers to “a Senate or Senates.” This appears to leave room open for the abolition of the Saint John senate. This is unacceptable, particularly following a year where UNBSJ just celebrated the 50th anniversary of its evolution. Being able to grant its own degrees (starting in the 1970s) and operate its own senate (starting in the 1980s) were important milestones in that evolution.

The board should not be able to radically change the size, makeup or mandate of the UNBF and UNBSJ senates or merge those bodies. A merger would mean a loss of diversity and constitute a retrograde step in governance. It would move UNB back into the era of the 1960s, when according to Tudiver (1999, 49), most universities were run in an authoritarian and paternalistic manner. I am not sure if they are free to speak but in my opinion administrative staff on the Saint John campus would share my concerns. In the past, Canadian universities were held back by “boards alienated from the institutions they directed and dominated by members from outside the university..., weak and in effective senates,” and presidents “exercising excessive control and in appropriate rule.” It should

be noted that boards of governors did not push for the reforms of the 1960s and 1970s; they largely emanated from students and professors. In the mid 1960s faculty held 55% of seats in Senates on average. The trend in subsequent decades was towards larger senates with greater representation by professors and students. The idea was that larger and more active senates would be a necessary counterweight to boards which were dominated by people outside of the university. Yet according to some reports (CAUT 1993) by the 1990s senates had actually lost power to presidents and senior administrative staff who increasingly bypassed senates and dealt directly with boards of governors (Tudiver 1990 50-53). This power shift was somewhat offset by unionization and collective bargaining rights for faculty and by the institutionalization of peer review in determining hiring and promotion of faculty and faculty input into the hiring of senior administrators. Those reforms were also resisted by presidents as hampering 'efficiency,' which is usually a code word for top-down, centralized decision making.

A joint UNB senate would also present major administrative and logistical challenges (I make this observation as current chair of both the Saint John Senate Curriculum Committee and the Faculty of Arts Curriculum Committee). At present there are several campus-specific committees that report to each senate. In the area of curriculum, it would mean that Fredericton, which would have larger numbers, would be able to control Saint John's curriculum.

By losing its own senate, UNBSJ would lose control over its curriculum and programs; this would not only place a burden on Saint John, but also further alienate the Saint John campus from UNBF, worsen morale and feed discontent that could foster a movement to separate from the UNB umbrella.

A 2004 study (Jones 2012) of Canadian university senates indicated that their average size was 61 (one was as large as 190). In these bodies, faculty constituted 44% of members, students 18% and vice presidents and deans 18%. Ideally administrators and staff should not outnumber student representatives and faculty members on senates, which primarily determine academic policies.

As noted above, the *University Act* for British Columbia mandates that UBC must maintain a distinct senate for its Okanagan campus at Kelowna. This was a recognition that the Okanagan campus, while cooperating with its much larger Vancouver counterpart, is not viewed as a feeder institution but as a degree-granting institution in its own right whose academic programs, which ultimately determine the health of the university, are controlled by that campus. This is the model that should be maintained, by statute, for UNB Saint John.

In addition to formally recognizing the existence of the UNB Saint John Senate, the *UNB Act* should mandate that be chaired by the Vice President Saint John or a Faculty member elected by the Senate.

6. UNB Saint John Concerns:

The timing and focus of the current *UNB Act* exercise is particularly worrisome for UNB Saint John. The current statute mentions UNB Saint John several times- for a reason (or reasons). The proposed revised act does not and this raises serious concerns.

For a number of years the Saint John campus was a feeder institution for UNBF and other universities; it did not have its own degrees, senate or even graduation ceremonies. On many levels the expansion of UNBSJ was resisted by elements of the UNBF community and even 50 years after the establishment of the Saint John institution, many Fredericton employees have never set foot on its campus. The muted reaction at UNBF to the controversial PSE suggestions of 2007 (a reaction that appears to have been shared by most of the board) was indicative that Saint John was simply not on the radar of Fredericton. With budgetary pressures and enrollment challenges, UNBSJ has often feared reverting to the status of a 2-year feeder institution for Fredericton. This was one of the issues raised during the 2007 crisis.

In 2007, the provincial government and various members of the business community proposed to remove or radically compromise the ability to receive a BA, BSc, or BBA in Saint John. None of these proposals, which were supported by advisory committees appointed by the government, appear to have been framed by anyone with experience working at universities. A local report funded by the Saint John business community, entitled “Enriching Our Future,” actually questioned the main reason why UNB Saint John was founded in the first place, to make higher education more accessible to less fortunate members of the community. In all of these initiatives neither students, future students nor their parents were consulted. Again, without checking with academics or understanding anything about graduate studies, including the crucial role of robust undergraduate programs in supporting graduate studies, or the tight job market for graduates of various programs, the PSE strategy envisioned an expansion of graduate studies at UNB.

In addition to the shedding of faculty, courses and programs, the Graham PSE proposals would have destroyed hard-won aspects of university governance. The inappropriately named ‘polytech’ would have been based on a community-college mode of governance, with little collegial input from academic staff, in order to provide trained workers for industry. First and second year university credit courses would have been delivered by community colleges that lacked collegial governance and basic principles such as academic freedom.

The top-down and anti-democratic nature of these controversial proposals and the politically inept manner by which they were proposed was matched only by the irrationality of their economic arguments: a supposed ‘worker shortage’ in the Saint John area. The process was also flawed: as noted above, no students or parents at the high school, community college or university level were actually consulted on the issue, yet the government and its business allies proclaimed to be working for the best interests of the students and denounced UNB’s president and faculty for ‘misleading’ the public. Subsequent economic trends (starting with an economic downturn in 2008 and climbing

rates of unemployment and outmigration) proved the fallacious nature of the official logic behind the government's PSE proposals.

The widespread feeling on the Saint John campus during 2007 and 2008 was that UNB Fredericton, not being directly threatened by the Graham PSE proposals, did not view them as controversial, compared to the view in Saint John. Secondly, if we had a board that was reflective of the broader community in 2007, we may have heard more from members of the board in defence of UNB Saint John. I was heavily involved with these issues and aside from one or two board members, we did not hear or read many public statements in defence of the Saint John campus. Board members may have attended some of the rallies and public meetings dedicated to maintaining a full university presence in Saint John, but if they did so they were not identified as board members at these events. I recall no letters to newspapers or radio interviews from Board members, with the exception of the two who did assume a public leadership role. In fact, during that intense struggle, the UNB board rarely was mentioned in conversations; it appeared to have disappeared. This was a major failure of leadership.

There is another lesson that related to the 2007 PSE upheavals. It was an extreme example of what can happen when a group of powerfully-connected individuals, who have no special training or experience in actually working at universities, attempt to use 'common sense' ideas to radically transform post-secondary education. Compounding the situation was the lack of alternative voices, including a critical media, is standing up to these types of proposals. Those voices should have been present at the board level.

Given the negative memories of 2007 crisis, I was deeply disappointed that the board representative who spoke to the UNBSJ Senate in the Fall of 2014 seemed unaware that the *UNB Act* initiative would raise special sensitivities in Saint John I have become quite concerned that the board is unaware of or dismissive of those concerns- it reiterates my fear that for the board, Saint John is an afterthought.

Combined with recent suggestions that student recruitment and other services could be centralized and run out of UNBF in the name of 'efficiency,' streamlining the *UNB Act* would strike many as a centralization of power that would be detrimental to the Saint John campus.

There are many risks in moving to a model of an independent UNB Saint John (the primary danger would be that the institution would become subservient to powerful business interests as almost happened in 2007-08). But if our campus is going to continue to be overseen by a board that is not representative of the broader community and is primarily concerned with the Fredericton campus, and if it loses the protection of legally-mandated checks and balances enshrined in the *UNB Act*, I would prefer that UNB Saint John becomes an independent institution. In fact I predict that the further erosion of our institution will help give rise to a separatist movement that will find considerable support in a community that has long resented Fredericton.

The real challenge for UNB (and especially UNBSJ) is not governance, but enrollment. We are heading into difficult times as the potential domestic student population is in decline; unless we can recruit large numbers of students from other regions of Canada and the world, it will decline and become a regional or provincial, not a national, institution and the Saint John campus is in danger of returning to its earlier feeder status. The only way UNB (and especially the Saint John campus) can thrive is by attracting a diversity of students. Having a smaller, less diverse and less accountable board is not going to help us meet this challenge.

The role of the university board is “to represent the public trust” (Bjorklund and Green 2012 224). A more representative board, which understands what a university actually is, and does not see the professors and students as ‘problems,’ could play a vital role in the badly needed regeneration of UNB. It is a shame that at a time when all stakeholders involved with UNB should be working together to improve our institution, initiatives such as the *UNB Act* review are causing division, mistrust and cynicism, plus cutting into our already busy administrative workload. We are wasting our energies and time on avoidable internal disputes instead of working together proactively on positive solutions.

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