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Vincent Munoz

I think what we need to do is explain how our principles of free speech, free inquiry, will help serve the cause of justice.

Betty Friendan

The First Amendment, the constitutional freedom of speech and freedom of conscience that is the bulwark of our democracy.

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Bettina Apthekar

There was a passion in what was being said, affirming this, what people consider a sacred constitutional right, freedom of speech and freedom of association.

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Michelle Deutchman

From the UC National Center for Free Speech and Civic Engagement, this is Speech Matters, a podcast about expression, engagement, and democratic learning in higher education.

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Michelle Deutchman

I'm Michelle Deutchman, the Center's Executive Director and your host. An issue that has garnered significant attention and controversy these past few years is higher education governance.

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Academic matters such as curriculum and tenure have traditionally been addressed by faculty through a model of shared governance. More recently, however, boards of regents, trustees, and state legislatures are working to centralize greater authority and exert stronger oversight over issues that have traditionally been reserved for faculty. These changes reflect broader questions about the appropriate role of higher education in society, particularly as it relates to specific areas of study such as race, gender, and diversity.

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To help us understand these changes, we're joined by two experts whose work sits at the intersection of higher education, governance, and democracy, Drs. Demetri Morgan and Raquel Rall.

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They are co-directors of the recently formed Center for Strategic and Inclusive Governance, and you will learn more about them after we turn to Class Notes, a look at what's making headlines.

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The recent release of the Yale University Report on Trust in Higher Education, or lack thereof, is thrusting the topic back in the news. The 10-member faculty committee examined academia's role in the crisis of confidence facing higher education, making 20 recommendations aimed at increasing public trust. These include universities taking an active role in examining their own institutions with a more critical eye, resisting

self-censorship by providing crucial protections for academic freedom and free speech, refocusing and narrowing Yale's mission, as well as making higher education more affordable.

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Response to the report has been mixed, with some praising it for its constructive, realistic approach, while others criticize it for attributing too much blame to universities and colleges without acknowledging the significant role of external attacks on higher education, particularly from the federal government.

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The Trump administration is continuing its legal battle over federal research funding to universities. This month, federal officials asked the U.S. Court of Appeals for the First Circuit to reinstate a roughly \$2.7 billion dollars freeze on Harvard University's research funding, arguing that agencies acted within their authority when they terminated the grants.

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The appeal seeks to overturn a September ruling by U.S. District Judge Allison D. Burroughs, who found the funding freeze unconstitutional and ordered the funds be restored. At the state level, policymakers continue to reshape the boundaries of academic freedom and higher education governance.

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The Texas Tech University system announced it will close any academic program centered on sexual orientation and gender identity, reflecting a broader trend among some states to restrict instruction on certain topics.

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The policy also prohibits degree-culminating research on these subjects. In Kansas, Governor Laura Kelly signed into law legislation that prohibits public colleges from mandating students to take DEI or CRT courses. Public institutions must ultimately certify that they do not require such courses to satisfy degree requirements.

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Meanwhile, new legislation in Kentucky could make it easier for public colleges to dismiss faculty for bona fide financial reasons. Critics argue the measure weakens tenure protections and relies on broadly defined financial criteria, raising concerns that it could be used to target certain programs or faculty.

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And in both Tennessee and Kansas, lawmakers passed legislation in the name of Charlie Kirk. The Tennessee law aims to protect the speech of invited campus speakers, including requirements for institutions to prevent disruptions at campus events.

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Supporters say the measure safeguards free speech, while critics argue it could limit protest activity and constrain how students respond to controversial speakers. And finally, in keeping with the theme of today's episode, the Association of Governing Boards of Universities and Colleges just released a national governance framework designed to strengthen the effectiveness, accountability, and public trust of higher education governing boards nationwide.

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The framework includes policy recommendations, which are integral to AGB's Higher Education Governance Integrity Initiative. Now back to today's guests. Dr. Demetri L. Morgan is an associate professor of education at the University of Michigan's Marsal Family School of Education in the Center for the Study of Post-Secondary and Higher Education and an affiliate faculty member in Organizational Studies.

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Demetri's research focuses on the critical role that higher education institutions play in fostering a diverse democracy. His primary research areas include the impact of student political engagement and activism on institutional change, the influence of culturally sustaining governance on institutional transformation, and the development of more sustainable organizational approaches to STEM education.

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We're also joined by Dr. Raquel Rall, an associate professor and associate dean of strategic initiatives in the School of Education at the University of California, Riverside. Of particular interest to Raquel is research that helps further illuminate the centrality of post-secondary decision-making impacts on higher education for students, staff, and faculty.

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Raquel is a national expert whose work on design making and equity is advancing higher education in novel ways. At UCR, she teaches courses like Critical Issues in Higher Education, Higher Education Governance, and Educational Leadership.

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I'm proud to add that Raquel received two voice awards from the Center, for her work on the role of young people on boards and was a Center Fellow in twenty twenty three twenty twenty four when she continued studying the impact of student trustees on campus and beyond.

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Demetri and Raquel, thanks for joining Speech Matters. It's an honor to have you.

Demetri Morgan

Thank you so much. It's an honor to be here.

Michelle Deutchman

So I always like to start by asking guests a little bit about their journeys. So i'm hoping each of you can start by sharing what drew you to

the study of higher education and how your work came to focus specifically on governance and leadership and the role that institutions play in our democracy.

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Demetri Morgan

Yeah, so I'll kick us off. And and again, thank you, Michelle and UC Center for for having us today. We we always love opportunities to to talk about governance. My story really starts with my mom's story. where she immigrated from Jamaica, grew up in in Florida, and she worked her way through her own educational journey to become a guidance counselor at our local high school.

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And so education was always something that was really important in my family. got to see the kind of day-to-day impact that she was having. Every time we go to the grocery store, somebody would say, hey, like you know thank you you know to your mom or you know for the role that she was playing in particular because she worked with English speakers of other languages, or English language learners, we describe them now. so um I always kind of saw the role of education. And then when I got to my own educational journey at the University of Florida, i was highly involved in a number of things from fraternity sorority in life to orientation leaders and got to see all aspects of how higher ed was playing out. But being at a big state school and not being a student athlete, I also started to pick up on some of the differences in my experiences as as a black man.

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at the University of Florida. And so I just became really interested in like, ah why was that? You know, why were things the way that they were? And I started to ask questions, got connected to the student affairs folks at the University of Florida and found some good mentors who started helping me answer those questions.

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And then increasingly, as I moved forward through my master's and then my PhD, started to understand that there was this group of people that we call governing boards or boards of trustees who were really influential, but that we didn't know that much about.

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And I also got curious about that and started to ask questions and, Fortunately, was asking some of those questions around the same time that that Dr. Rall and one of our other colleagues, Felicia Commodore, were asking similar but different questions.

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And we were able to connect and kind of take off from there. But ultimately, it's always been about, like, how can we make education better and to serve more people? Because I've seen the power of education in my own life, in my family's life.

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um And I want that for more people. And that passion kind of drives how I've navigated into into higher education and and governance in particular.

Michelle Deutchman

Thank you so much. It's a great story and I'm excited to hear from Raquel. Also, I will admit that I really had not thought that much about governing boards and stuff I started following her work. So tell us your story.

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Raquel Rall

Yeah, that's awesome. I mean, I think much like Demetri's, mine is very much rooted in family, right? Like my my family is the family that moved us away from schools that I was in literal classrooms with my cousins, right? To then become my brother, my sister, and I became the only ones in the classes in our schools and that sort of thing. And I learned really early on that if you wanted to say and you wanted to make decisions, you had to be leader a leader, right? and You had to have these different roles and you and you had to really center education, right? So like I grew up in house where my mom's like, these are the classes you're taking, you're not deviating, and then you're to to whatever school, you know, that sort of thing. And it was very clear that there was a sacrifice that my family was making in order for me to have an opportunity. And so I had to kind of make that fly and education, like being a tutor was actually my first job. So I had always loved education, right? Like when I was in middle school, I started tutoring elementary school and so on and so forth. And I actually thought I was going to be an MD doctor, not a PhD doctor for the longest time. And then when I got to

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Undergrad, that was not the case. I had this latex sensitivity, like the goggles. I could never breathe in my goggles. Like it was just a horrible thing. And, you know, of course, I try to talk to my parents about it. They're like, you went to Stanford, you're going to finish this degree. So of course I finished that degree. But in that time, you know, through my sorority and through other organizations, I did a lot of working. in East Palo Alto, right? Like with black and brown communities and tutoring. And I loved it and loved it so much. I finished the degree and then sort of decided like, well what am I going to do? So I did a little bit of work and then I said, okay, well, I need to go back to get this PhD because I felt like even though I had these great experiences and could speak to things, people didn't want to listen as much because I didn't have this degree. And I was younger than other people and talking about my experiences. Right. And so applied and got to USC to do my PhD and actually was going to look at culturally relevant pedagogy in STEM, right? I i was one of my majors was a STEM major. My brother was is a computer science engineer, right? All these different things. And we had this very different experience because we we are often the only one in our STEM classes, you know, and in all these different things. And so wanted just to start to think about the ways in which we might make this

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relevant and and be able to engage more folks in STEM, right? And at that time, that was sort of that push nationally, you know, rising above the gathering storm, like everyone needs to go into STEM and all these different things, but how do we think about these communities? So that's where I started with. And then somewhere along the line in USC, I switched advisors and started working with Bill Tierney, who sort of is an expert ah in all things. But one of the things he does is leadership and governance. And one of the first things when I went to his office, he's like, I have a friend, I need you to help this friend out, right, to do this project. And this friend happened to be Steve Sample, who was emeritus president of USC, right? And is touted to kind of have changed the game for USC, like i really put USC on the map back in the 90s, right? That sort of thing. And what Dr. Sample was interested in was, does the flagship institution benefit from being part of a system, right? And at the time, he was really suffering from his Parkinson's. His Parkinson's had gotten really advanced. So he couldn't do some of the physical like research and all these different things. So I was going to go in there, you know listen to him, have lunch, hear what he wanted to say, and and kind of do some of the hands-on work.

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And when I was doing that, I was in the library, kept reading about these systems. And then I kept reading about these boards and I couldn't stop putting the books down. I couldn't stop reading. And was like, who are these people? Because like you, Michelle, like I didn't know about governance, didn't know what all these things were. And I haven't stopped ever since because I found it was so interesting, changed my trajectory in my PhD and then wrote myself to to tenure, promotion, yeah know all these things and have haven't stopped. So, yeah.

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Well, thank you. It's so interesting how, that's why I like to ask people this question because, you know, first it was like the latex sensitivity and then it was like helping your advisor's friend, right? This idea that like, it isn't always a straight line. and also so interesting that your stories, you know, share some roots, right? Which is grounded in family, education is a priority. And even that you're both sort of came out of STEM, which I think is, you know, not necessarily something you always hear of.

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So I think we need to do just like a little bit of table setting for the audience because I don't want to assume that you know these groups, these very powerful people who are often invisible, though they have been more visible as of late, I want the listeners to maybe get a quick primer on what do these boards traditionally do and why are they so central? So if one of you or both of you want to tackle that and then we're ultimately going to move to how things have changed in the last number of years.

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Sure, I can start. And I think it's a really interesting question because there's a very, you know, as Demetri and I study this a lot, there's a very fine line between or there's a distinction between what they're supposed to do and what they actually do. Right. And sometimes they do

the things that they don't necessarily tend to do. And then other times they don't do the things they're supposed to do. And so it's a really kind of tricky thing. But I would say high level, you know, what folks should know is that, you know,

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The number one thing that they do is they pick their chancellor or president, right, of institutions. I think that's really big because, you know, they you can think about the chancellor and president having the vision and executing things on the campus level. And so that really has, you know, it reverberates, that impact reverberates for for years to come. So I think that that's one of the number one things that they do. They also are supposed to help us stick to the mission. So boards are, you know, whatever our institutional mission is, every decision that boards make and they delegate to others to make should be aligned with that mission. So I think that that's a really important piece that they do.

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Most people only think about boards of trustees partly because they're called trustees, but, you know, in some places they're called regions, they're called governors, they're called directors, you know, there are all these different names, but to keep us in the black, right, to make sure they're good stewards over our finances. And most people think only of that one. But I think it's also important for them to think about not just money, the green money, but also resources and, you know, making sure we have people power, right, and all these different things. I think that's really important. Another one that we don't think about, but they're in charge of the strategic plan, right? Like when we think about strategic plans happen pretty often, you know, new president comes, new strategic plan and all these different things. And so they are are supposed to help us, um you know, co-create and and approve and really monitor how we're aligning with that plan or not. Another one that's really big right now when we think about the work and what's happening in the nation is this idea, this protection of academic freedom, right? that This is a thing that the boards are supposed to help us do. I think that's really important. You know, thinking about autonomy, institutional independence, that's part of the board's doing, right? And so I i would say those are really high level. You know, other things are the quality of education. And so we get into what does that mean and all these different pieces

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but there are really nine commonly held roles and responsibilities across researchers talk about these, you know, different groups. Like we talk about that, CSIG, AGB talks about that. And so I think there are differences in where you read or where you see, but those are sort of like, there are nine commonly held roles and responsibility. Now, whether or not the boards actually do or don't do them, and if they do them well or not, that's a whole other ballgame, but that's typically what they do, I would say. Yeah.

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And the only thing I would add, and this gets a little bit nuanced, but the the the board also holds the the charter of of it of an institution. And so that means that the the board is the the legal entity that unfortunately, when institutions get sued, like it is the board who gets sued.

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and And so that's really important because there is also a lot of risk, risk and liability for instead for board members that come with thinking on behalf of the entire institution, because in some respects, being the holder of the charter, you are the institution. And so that also is a layer and a lens that is often in the calculation from a risk management perspective, from an asset and reputation management perspective, that ultimately it's it's the the board as a collective and sometimes even individually, like we've seen in some of the scandals, that that are are literally on the line for, you know, in terms of the the legal ramifications of things. And so it's also an important role that the board plays.

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Well, I think that's a great jumping off point to talk about kind of this moment that we're in where litigation and threats of litigation, federal funding, threats of federal funding, right? Basically coercion on the part of different levels of government is occurring in terms of higher education. And I guess this is sort of a broad question. I'll let you take you take it where you would like, but you know in terms of what boards are supposed to be doing and how they're doing, and I think my question for you is like, what have you seen happening? And it can be, you know, we can do things that have worked well, things that aren't working well as as a place to start.

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Yeah. One of the things that I've been tracking over the you know last few years and and definitely over the course of our career is, you know, what are the what are the topics and issues that boards choose to interject themselves into? You know, we often say at the at the center that, you know, the the most powerful tool that ah that a board member has is the questions that they ask.

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And that's to Raquel's point of there's a big gap sometimes between what we want boards to do and what they should do versus what they actually do. And one of those things to help them sit between not micromanaging the day-to-day of administrators and leaders and faculty, but also not being so aloof that they're just rubber stamps is figuring out how to ask really well-posed questions.

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the One of the things, though, that we've been seeing is that boards have been on the spectrum of either so aloof that they are not able to rally and and act be activated to protect not only individual institutions, but the sector in general, because they're sort of disconnected and and don't feel equipped to speak on things or don't know enough about that particular issue.

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Or they're so in the weeds that they're literally usurping some of the historical ways we've understood shared governance between faculty and students and administrators and and the board.

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And so, you know, one of the things we're always looking for is like, where's not necessarily the in-between, but where are boards really working hard to sit in between the aloof versus the micromanaging? And it's a really hard because it every topic or every issue demands a different posture. And often when we talk with boards, they want to know, like, just tell me the thing to do and I'll do that. and it's like, well, how you engage diversity, equity, inclusion conversations is different than tuition setting is different than, you know, working with other segments of of the state enterprise if it's a public institution.

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And it was so we want dynamic boards. We want boards that are culturally aware of the different implications of those things. And that type of trusteeship is harder to come by. And so I've been really attentive to where are we helping boards not just sort of think with like one posture, but be open to all of the ways that they need to be prepared to engage increasingly complex topics. And that's a harder conversation to have.

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Yeah. and I And I think your question is important because obviously every every couple of years or every couple months, sometimes in in such a times as these, right, like things are happening, right? Like and then it's changing. But I think the core of governance is the same, what they're supposed to do, what board members are supposed to do specifically for governance. And that's those roles and responsibilities I talked about before. So just because times are hard or they're different political pressures, the role is still the same, right? Like it's like parenting, like regardless of if you have a lot of money, you don't have a lot of money, you have a lot of time, you don't, the role and responsibilities are the same. Like what you're supposed to do is the same, right? And I think that that's a hard thing to understand because we're not leaning to the left or the right. It's like, stick to the mission, do right by our students, right? These are different things, but it's hard to do that when you have political intrusion that is now saying, make this decision now, or we're taking this money away. And then you can't think about your institutional independence, right? So it does make it a little bit harder. So, you know, Michelle, when you ask if anyone's doing it right or what they should should be doing, I think those boards and those institutions that are

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waiting, right, or not saying or acquiescing too soon or preemptively acquiescing. I think they're doing the right thing to kind of see how things played out play out, which is one of the, actually the pros of shared governance, right, is this idea that things, because you have so much collaboration and all these different things, folks weighing in, it takes a little bit longer. So as you wait, sometimes some of the issues

go away, right? Like that's a, like a pro of shared governance, or you just kind of things figure figure themselves out. And so I think that's a really important thing. So those institutions that are are waiting to make decisions, right? And not being strong armed, if you will, into making decisions that they don't know the long-term ramifications of saying yes, right? To, okay, give us our money and then you can kind of have your way and and put your hands in our cookie jar and decide on different things that are our purview, right? I think that's a really important thing. I think we're seeing more of a push to try to do corporate type of decision making. So this sort of top down, as opposed to this marker that has really been the way in which people have come to know higher education, what's made higher education unique is shared governance. And I think we're trying to push it away from that style of decision making, right? And I think that that's something that's really interesting that's happening right now. I think it's important as we move forward, like Demetrius talked about asking questions and all of these different things, that's their most powerful

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tool for board members. I also think we need to really be thinking more about accountability. and That's not something that we haven't done as well in governance, whether it's, I think, other members of of governance. So you think about faculty or even presidents are often held more accountable, but we don't really have good mechanisms for that, for board members in particular. and that's often the group that we focus on more so than the others. And so I think that's a really important thing to think about as we go forward. Like, what are the accountability measures that When boards maybe don't align with the mission, aren't making decisions in the best interest of our institution, or they are allowing this political intrusion to to inform what they're doing. I think that's a really important thing because we have to think about things like risk management, right? Program liability and all of these different things. You know, we see things that are happening in the news where now, you know, in Tennessee, Kentucky, ah you know, every time you read Inside Higher Ed, there's something new where it's like now you can... prior tenured track faculty, you know, like, and it's just, it doesn't seem like we're doing things that folks way back in the day when we had the statement on governance, right, with AUP and AGV and all these different folks, like, it's not in alignment with that. So we, I think we just need to be, have our eyes open and really be intentional about the questions that we're asking and thinking about accountability and what does it mean for our students? I think that's the other piece is like keeping students at the core of what we're doing. How do these changes impact students? And I think that's

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every actor, right? Whether it's faculty, whether it's the president, or whether it's the board, they have to keep students central to to all that decision making. Thank you. So I got really excited about the discussion of like liability. And what Demetri started to say that i sort of neglected to ask you just to do a quick on what is shared governance. I mean, I think that word is bandied about and it is at the crux of how so many universities run. So if one of you could just sort of talk kind of a little bit about what that's supposed to mean and how that is sort of,

like you said, Raquel, been pushed away. i think that would be great. And then I'm going to tell you I'm doing this so you can remind me. Then I want to talk about students and their role or the lack of their role on these kinds of boards.

Yeah. So I'll take the shared governance since Raquel did the governance overview. So, you know, the way that I talk about it with students and the way that I try to help remind myself and, you know, Raquel mentioned the 1947 statement,

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that AAUP put out. So it's usually kind of described as the AAUP statement on shared governance, but it was also signed by AGB or the Association of Governing Boards of college Colleges and Universities, and then also ACE, right, the American Council on Education. So at the time, right, think back to the 1940s, these were sort of some of the major, still are the kind of major players that were representing um faculty, representing governing boards, and then kind of ace from the sector more generally. And the idea was that, right, you think about the history of colleges and universities, they started out being very faculty centric. Faculty did all the administration, faculty did all the advising, they did all the teaching. And as the professoriate became more professionalized, meaning that we started to focus more on research and we can talk about the pros and cons of that, some of the other functions that faculty were playing needed other people to attend to them. right So you see the rise of student affairs, you see the rise of administration in mass, kind of in the sort of post-World War II time. And so

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you You get to this, you know, kind of point and faculty are like, you know, we want to focus on research. We want to do, we want to focus on teaching, but all of these other components of the institution need to be attended to as well.

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But we should still have say. And of course you have new constituents, you have administrators, you have students who are like, well, we're here now too. And we should have a say as well. And so we see we see the norms that proceeded start to play out where we needed kind of to come to an agreement of how do you have competing interests within any given institution and work to resolve or iron out as best as possible those different interests in a way that ultimately advances the institution.

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And so what we talk about as shared governance is the shorthand we use to describe this tension between the the different interests that exist on any given institution between what students want, what faculty want, what administrators want. And in this document we're referencing in particular, but just more generally, we sort of outlined like who is supposed to be in charge of what in charge of what aspects of any institution's operation. And so components like the curriculum, that things that have to do with the faculty were sort of vested to the faculty. Things around institutional operations and finances were sort of vested to the board via how the board delegates to a chief executive or

their cabinet. And so shared governance gives us language to talk about how do we do things in consultation with all of these different interests in ways that ultimately honor what's best for the institution. And so when we talk about shared governance, what we really mean is that on some things, we should be in deference to faculty. On other things, we should be in deference to what the board is trying to do strategically or from a resource perspective. But really, we, unlike a corporation, and this is the point that you know Raquel was alluding to, i'm unlike a corporation, any one group should all shouldn't just always have its way all the time.

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There should always be sort of deference and tension and consultation. as much as possible so that we get to where we are trying to go in a way that advances all the interest ultimately. And the messy parts of shared governance are supposed to be, can we get to the next point, to the future, to organizational change in a way that allows for different interests to be served simultaneously. And when you only have a single central decision maker, it's really hard to serve multiple interests. And so what we're trying to guard against and why you see so many people kind of trying to radically fight for shared governance is that outside of shared governance, you have a higher prospect of leaving behind different constituents. And the implications of that in the educational setting might mean, you know, more precarious positions for faculty. it might mean harms to student success, might mean poor governance by boards because they're not in consultation with with other groups about what is best for the institution. And so, you know, it's cliché, but we are, you know, better together and shared governance in theory is designed to help us get there. But in operation, you see the the siloed nature really come to bear on the outcomes for any of those different groups.

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and And I would just add quickly, because I think that was a great overview. I want to add the caveat for folks is that shared governance is not shared decision making. Like folks often think because they get want to say and have a voice that they get to make the decision, but that's not how it works, right? Like, so I always give examples of like, you know, lots of faculty serve on committees to hire folks.

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But then they might get a little upset if the folks the person they like is not hired, right? But that's not your decision. You get to weigh in, but you don't get to make the decision, right? And so I think that's really important for people to understand, especially faculty, right? Who often think, like, I think sometimes they think they play a card, like shared governance, and that's going to may mean everything is going to go away and go their way. But that's not how it works. Like Demetri was alluding to, because of the different expertise that these different groups have, and right typically,

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You know, we have this tripartite system where those three entities and obviously informally there's other groups that inform governance. Right. But those three entities are formally recognized and shared governance.

but not everyone gets to decide, right? Like, and there's different purview that folks have. So I think that's a really important distinction. Like it is not, and there's an article about that, like shared governance is not shared decision-making. doesn't mean that everyone gets to weigh in on the actual decision. You get to have voice, you get to kind of collaborate and share your thoughts.

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But at the end of the day, you know, like whoever becomes the chancellor the president, that's a board decision, right? Like, or what I teach in my class, that's my decision as a faculty member, right? Like that, I think that's really important for folks to understand.

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I think that is really key and it applies to many things in life that you had made a reference before about parenting. It makes me think of that, like I can hear what you have to say, but that just because you say it and you maybe say it really articulately and you say it in a calm tone, doesn't mean that I'm going to decide what you want. And I think that's hard at probably all levels.

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So there's obviously a lot of significant pressure that's being brought to bear. And I want to go back to this idea of sort of a lot of the news, at least that I read about in terms of state legislatures and pressure is, it seems like resulting in less and less shared governance. And I guess I want to ask you two as experts, is that accurate or is that the perception? Because sometimes, you know, the news only picks up certain kinds of things. Like how formidable of a trend would you say this this really is Yeah, I can weigh in. i mean i I'm laughing because I teach, I'm teaching a class currently right now on governance to my students. and it we often come up with the answer. It depends, right? Because governance is so contextual as well. Like where you're doing higher education makes a difference. Like, like are you in the South? Are you at a public institution? Are you at a women's institution? Are you at an HBCU? Like all these things matter. And so I i would say, you know, that's a stinky answer, but it does depend. And it also depends on the history of shared governance. Like, you know, I i work in the UC and UC prides itself on having a really strong, shared governance. Like they think like this is the thing that's the marker, like so much so that when we're hiring system presidents or institution presidents, that's a question you have to ask is what's your take on shared governance and how does this work? You know, this is a core of who we are in other places. It's not as strong, right? Like faculty senates may be more symbolic than they are actual, you know, working and doing all these different things. And so I think that's a really important, um,

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And I think the news does what it does and it reports all these different things. And there are things that align, there are things that don't. And so I think it's hard to kind of say in general, this is the way it's happening and this is the way it is. I do think we see more of it, like, you know, in the last decade and definitely the last five years, we see governance, I think, in the news more than we have ever in higher

education, which is like a win because Demetri and I, you know, Felicia Commodore, who you mentioned, we said, we've told y'all this before. We've tried to tell y'all governance matters so long ago, right? But- And so I think there's an uptick in people being aware of it. It's sort of like in medicine, right? Like just because people weren't diagnosed doesn't mean it wasn't happening before. And so I think that there is some just heightened attention to some of the things that are happening because people are noticing it now, right? And so I would be leery to say, this is how it is. And we're on a track to kind of, you know, get rid of or do anything like that because it just depends on where we are, the institution, who's involved and all of these different things. Who's in government, right? I think that matters more and more these days. So, yeah.

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Yeah, and the only thing I'll add to is, you know, as I've kind of watched the discourse evolve, it also, you know, sort of, I think, shines a spotlight on the pretenders in the space. And by that, I mean, you know, sometimes you have faculty and this gets me in trouble with with faculty, but I always share it because it's such a stark example. Like, you know, when we went through the pandemic and and even now you'll see faculty call for like, well, why don't we just spend down the endowment or why don't we just spend from the endowment?

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And I always flag that as like, you know, a faculty member telling on themselves because it's like you like the complexity, like there's not just one endowment, right? Like and endowments are made up of multiple and also often with donor intent of how those particular funds are supposed to be used.

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And so the idea that you see this big number and it's just like one number you can write a check from belies the complexity with which, you know, sort of financial management of any given institution has And so when you go to a trustee and say, hey, spend down the endowment before you, you know, before you make this decision,

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it i've mean I've heard this from trustees, it makes it easy to write faculty off because it's like you don't know what you're talking about. Like, it's not that easy. It's not that straightforward. And there are also trade-offs because say we were able to even figure out how to spend the endowment differently than donor intent. We went back to all the donors and we asked them for permission to move it to the operational fund instead of funding, you know, this insert scholarship or say we did all that.

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we would still have trade-offs, right? So I always say like, you know, which one of your endowed faculty do you not want to, you know, be retained by your institution or which scholarship that endowment was funding do you not want anymore because you spent on the principal and

now you don't have any, you know, sort of funds to use in perpetuity for it. Like those are the types of calculations that,

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trustees don't always make legible, but when they say, no, we can't divest or no, we can't, you know, do that, they're doing all of those calculations. They don't explain it well. And that's why when I'm talking to trustees, I say, you need to explain your reasoning better. Like people are owed sophisticated responses to, to you know, sophisticated questions.

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But I struggle, you know, when we talk about your governance, when, you know, all the sides aren't coming prepared to the table to have the type of really robust and complex conversations that,

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these topics require free speech is another big one, right? Like, you know, how are we defining it? Who gets to define it? Where does it happen? All of these things have legal requirements. and social ramifications that are more nuanced than just like the blunt instruments that you know we that any given side wants to talk about it with.

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And we need more people to show up in the shared governance spaces with that level of nuance and flexibility to have shifting conversations and really think through the trade-offs of deciding, like, if we're going to disinvite a speaker, that is a form of speech in and of itself.

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But what are the ramifications of the type of climate that that sets? And is that the type of institution we want to be? And what are the trade offs for the types of messages we're sending students? Like, let's have the conversation all the way fully and not just like yes speakers or no speakers. Right. And we and I think all that to say, that's where I struggle with the media.

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is the media doesn't allow us to have those nuanced conversations because they just say, oh, you know, insert institution disinvited a speaker when there might have been really deliberate conversations and shared governance worked as we wanted it to. And this is the conclusion we came to. And this is the kind of harms that were, you know, sort of thought about and and addressed. And that's not what gets covered. It's just like so-and-so was disinvited. And there, you know, here's a comment from, you know, this group who wanted to see the speaker. And that's all we get. Wow.

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I really appreciate that answer because like you said, with speech and the issues that the center really focuses on, it's all about nuance and it's all almost always contextual. And, you know, the law is a really blunt instrument. So, you know, I appreciate that.

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And true to my promise, I do want to circle back to students because so much of what you're talking about is that, you know, the university is created right for knowledge, but also, you know, to do right by the students. And so what role you know, should students have in governance, you know, do they have, I'd love to hear your thoughts.

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Yeah. I mean, I think they should have a place, that you know, they should have a seat at the table. It's like that. What is this thing? No taxation without representation type of thing. Like, I think that's a really important piece. Like every, like I mentioned at the beginning, every decision that we make is,

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for the students, like the board decisions, tuition that impacts students, which conference athletic conference are going to be impacts student, like every single thing that decision that is made impacts students. I think that really is important. So I think it's important to also understand at the same time that we don't see that representation all across boards in general, right? Like why we have campus leadership, right? As far as like student body president or ASB president, you know, whatever the case may be, we have that, but Students don't have typically a formal place in governance unless they're on the board, right? And at most times, you know, there may be one or two of them on a board if they have a seat, sometimes with a vote, sometimes with not. Their terms are

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markedly truncated compared to their layperson counterparts, right? So it's like a one-year term or two-year term. So you think about what is the impact when you have layperson trustees say, it takes me, you know, a good four years or a good year or two to figure out how this place works. And then students are on the board and they're off. And obviously there's reasons for that because we want them to graduate. We don't want them to be there for 10 years. And so there's stuff that makes sense, but you know, I think about AGB has made it very clear that they don't think students or faculty should be on the board, right? Unless they already are. In fact, if there's a seat, they sort of say, kind of keep them there. But if there's not, don't give them, no, don't make up a new seat. And part of that and why they say that is because there's sort of this idea that they might have this myopic book myopic focus, right? Just on student issues or just on faculty issues.

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And um my big thing is, Why is that a problem? right We need somebody to have a voice for some of these different things, just as folks who are coming who are layperson trustees are bringing in their finance background or they're bringing in their real estate background or political background or whatever they is this is. right They bring that expertise to make the collective better. right We want all these different individuals to have different perspectives that come together so we can get rid of things like groupthink and you know all these things that sort of, I think, put boards on.

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down the wrong path. And so I think that's really important, regardless of the lack of, I think, really a formalized place for students. And well, let me say this first before I go there. And it's also odd to me that students often have the most rigorous process to get on the board, right? Than anyone else does. They have to have a certain GPA. They actually have to apply, right? They have to do go through interviews and do all these different things. And the layperson, by and large, layperson trustees don't have to do that. And it's sort of like, okay, why all of this rigor right for someone who's on the board for one to two years. And then those folks who are typically

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you know, younger than the other board members, right? they They have a different level of experience, right? So they're often, you know, when I've done research on this, they often talk about being intimidated in ways, like not even because it's like, these folks are like their grandparents age and you want to have deference and then you don't want to make them feel like they don't know anything, but they often come, the students that is, they often come the most prepared because they feel that that there's that inequity in experience. But what i was going to say, I think it's really important to understand that informally students have a really big say, right? Like we know that College campuses have been the site of protests for years, where you think about big things happening in the 60s and 70s. And I think even in recent days, students have shown how they can students. decision-making, right? Like I think back to a couple of years ago, University of Michigan, you know, the black, I mean, University of Missouri, the black football players said, we're not going to play unless this president is step steps down or y'all remove him because of the the racist things that were happening and president stepped down, right? Like that's a whole other thing, whether it was that because they were students or because football is a big money industry. I don't know. Right. But I think that there are some of those things that we have to understand. So I think informally students have a big role to play. And I think they exercise that through protests, you know, through, different rationale. And as I mention to my students all the time in governance or or beyond is sort of like, And you as students, especially as student voters, have a role to play, right? Because when you think about these different things, it's like, especially in public institutions, whos who elects the governor?

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The voters, right? And then the governor gets to pick the board. And what does the board get to pick? the president The president gets to pick the board. So it's like this whole cyclical thing, you know, clinton kind of trickles down. And so it's really important that we do have a role to play in how our institutions are governed because we have a vote, right? Because we informally play a role, because we can be on a board, right? because all of these things matter. And I think it's important that it we think about that more about having students because often, and you know, the literature talks about this is the folks who are on boards often so far removed from higher education, they haven't been there in so long that they need to be around students to understand how it works. And they need to understand the issues of students, right? Like it's not, you

know, when you think about most board members are 65 and plus, right? Like this is not something that they're constantly interacting with students and the way in which college is very different the people who go to college is very different than back then, right? it's I think it's really important to think about the role that the students can play in helping us to shape and make better decisions on behalf of students.

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So, yeah. Heard it from the best in the country on the topic, so I'm not adding to that. All right. Well, I do want to have a couple minutes to talk about the center that you co-founded and co-direct, the Center for Strategic and Inclusive Governance. And it's clear that you were prescient about this issue because you both have been studying it for some time. But I'd love to talk a little bit about what you were thinking about when you created the center. And I'm all about practical application of like research. And so I'd love to hear a little bit about how the center works in practice to improve decision-making and leadership and all of the things that you've been talking about that list of nine responsibilities.

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Yeah. So, you know, one of the things I think in our time over, you know, the last decade plus in this space and seeing, you know, the sort of summer of 2020 and the kind of rise of, you know, people's consciousness around diversity and inclusion and racial justice in particular, but also the kind of lingering components of me too. Like we saw,

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a sort of justice moment that, you know, sort of comes every so often in the U.S. context. And because we were writing and thinking about boards and their connection, to diversity and inclusion, but just decision making more broadly, we were, you know, sort of well positioned, for lack of a better word, in that moment.

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But then we also have seen the kind of swing in different ways. And one of the things that we identified in the kind of pendulum swing back and forth between what people needed in the conversations and the discourse was that there was not enough resources that were grounded in research that were made accessible to different audiences and that were there were freely available.

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You know, there are obviously lots of different associations and and different private kind of consulting firms that, you know, will do things for boards in a bespoke way. But one of our conversations was How do we just make what governance is, what you know better governance could be more freely available to students and faculty and and obviously board members? And does creating and elevating our understanding research-informed ways, might that be one of many, many variables that we need to see move to improve how governance is done in higher education? And so that was one of the the kind of animating ideas because you know, we would get asked to speak or we would, you know, you know go and, you

know, present our research, but that was so one-to-one and we would hope that it would work and we'd follow up and would do the full cycle.

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But what was, and we would do the research and we would publish in journals, but the in-between space of just kind of well um designed, well researched resources that, people could just download with a couple of clicks was really important to us. And so that was, you know, kind of one dream and idea. And we just saw the need as people, you know, would ask us all the time, like, how do I do this? or my campus is struggling with this.

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What are your thoughts? And so just trying to take the research that we've done and continue to do and distill it and make it accessible was, you know, the one of the the primary drivers. And the one thing I would add is that other spaces often how would I say, put their spin on things or stay away from different. So Demetri and I have been very intentional to to partner with folks. And like, you know, Demetri led this piece for the website with like young scholars and authors coming up and like where we can share their information as well. So we just want people to have the information. Like it doesn't need to necessarily be like the C6 spin or the Dr. Morgan spin or anything like that. We want to make sure people are understanding and asking questions. And we sort of think of it as a place where folks can sort of go to start.

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and then kind of go down the rabbit hole as they see. So it is something that is very much building a plane while we were flying it because we didn't have this. And like, we wish we had all these different things. And so it's a work in progress, right? Like we continue to add all these different things time and time and in the midst of being, you know, full-time faculty, administrator, you know, all these things. And so it's like this labor of love, but we want to be able to leave a resource for folks to be able to start like you know, we have a thing where we have syllabi, right, from folks who have taught governance classes, like, how great would that to think about what those readings are, and all these different things. So like, if you care about governance, if you work with folks who care about governance, or you just want to know more about it, it's sort of, we hope to be the reservoir that then you can spring forth and go from there. So yeah.

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Well, and our listeners should know that there will be a link to the center and all of those resources in the episode notes. And I can certainly relate to that. so a lot of aspirations of the center that I oversee is to try to make these things like accessible so that people can have a level of understanding. And I'm hoping that this is what this, you know, episode is doing, you know, as we kind of draw towards the close, it's sort of like to ask you a little, like kind of blue sky it in terms of, you know, what changes you feel like are most necessary in governance structures right now to better serve students and, you know, society, and you could even argue democracy.

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Yeah. You know, one of the things, and I hope there are some listeners out there who are activated by this, you know, and when we, if we were to kind of create a chart about the amount of knowledge and research that we have about faculty, about students, about even, you know, institutional leaders and presidents, we have, we know such comparatively little about boards than we do any other constituency. And so,

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One of the things blue sky that I would love to see is that we need more research. And obviously we are invested in that project, but we always are inviting others and trying to collaborate and and find ways to, you know, try to, you know, sort of make governance cool to to study because we need to know more. So much of the governance space is informed by like, well, I'm a board member and I, you know, might have my own professional expertise and experiences and then I bring it to the board. But You know, it's just like vibes based governance, right? Like, it's just like, hmm, anecdotal. Like, I think this is what's best for an institution.

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We don't know empirically with certainty in the same ways that we have learned, you know, what are the things that help students succeed? What are the things that help faculty, you know, teach better?

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We have bodies of literature that inform that. We don't know as much about what good decision making looks like in the higher ed board sense. And so in 10 years, i would love to look back at this episode and say like, yeah, we a lot more. We did studies, we had boards participate in curriculum and learn how to work together and to learn about higher ed as a unique field.

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And that helped us make better decisions to support students. And so obviously CSIC is invested in that and you know we're inviting board members and boards to you know convene together and come together and and work through um some of the things that we've designed, but we just need more of it because if it's just one center or one place doing it, that that won't be enough for the type of scale that we need to see. So that's one. And the second one is kind of related, but Raquel mentioned that it's often student trustees who are the most vetted to get on the board. And so I've been thinking you know much more recently

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you know, what is a ah governance credential look like for boards that has legibility across institutional context and site to say like, this board member at least knows what academic freedom is, what shared governance is, how higher ed is different from the corporate sector. They, you know, understand what tenure, you know, can and should do. They understand unions, like just the basics that, you know, you know, people in Dr. Roth's class are probably learning right now.

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is likely more than some board members will ever formally learn. And so I'm interested in this sort of credential conversation of how do we credential board members to say like, sure, you're a world-class doctor, that's great, but that doesn't mean you're a great board member. It's like, sure, you're a great attorney, but that doesn't mean you're a great board member. And so how do we find some way to identify the types of skills and experiences that board members need that that we don't just assume because somebody's successful in another sector, they have what it takes to be a board member and find a way to credential that in a way that doesn't limit people, but and actually invites more people in to say like, sure, you know, I have different forms of expertise and knowledge, and I've now had this credential that helps me be prepared to be a board member.

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And therefore, I'm ready to, you know, sort of to run or to be appointed or, you know, whatever the selection process is. And so I would love to see that in the future Yeah. So I would echo that. And I think something that's really important is to think about how do we diversify the board? And obviously like when people folks say that, they instantly think like race or gender, yes. And profession and age, right? Like we we lack a younger, youngish trustees, right? Like it's silent either you're a student on the board or you're 65 plus, like where are the other folks in there? And there are different reasons for that. And so I think these are really important dynamics to think about. So Part of that selection is what would it mean to have an application process, right? Like, I think that that was something we all know when I, you know, tease students. It's like, how many of you didn't apply for a scholarship or for a program because it was like it was so much work or whatever the case that vets people, right? And so we really want to get to make sure like Demetri speaking to people have this credential or they want to know or they have some of this knowledge. What would it mean to have an application?

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Right. And it's not just gubernatorily appointed. Right. Like there's some reason why you want to be there. You tell us, you know, what are your goals for education or what do you know about? I think that's really important. I think for governing boards, we also have to really get to a point where. We have term limits because that's also a way we haven't been able to change who's on the board is because some boards still don't have term limits.

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I think that's really important and figure out what those are. and You see it's 12 years, right? Like you have a term and some people get reappointed. So you have 24 years. Some people have four years. But I think it's really important that there is a term limit. And I'm not saying they shouldn't, folks shouldn't be reappointed if they want to be. But I think we have to have a limit where If we're able to, people can time out, you know, we can get new ideas on the board. I think that's really important. I think I return back to accountability. I think accountability at the board level, at any governance level is really important. You know, I think about, we have a great mentor in Dick Chate,

who's an emeritus faculty at Harvard, always talks about if hospitals had the same um outcomes that higher education institutions would, no one would go in, right? Like, If you went to hospital and they said you've got a 65% chance of making out of surgery, everyone would fall apart. But we go to institutions where that's the graduation rate, where this is the retention rate. like

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And so I think it's really important that we think about accountability. What are we accountable for and who are we accountable to? And I think we need to think about different metrics because why is it okay for our institutions? And not all of them, right? But across the board, and especially when you think about when you disaggregate that data for different communities, first generation, people of color,

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Why is that okay for us? And why do we keep doing these things? Like, you know, people talk about higher education is one of the most effective, poorly run entities in the world, right? And how do we fix that? Like, we're not doing some of these things, right? We're not doing service to some of our our students. And I think the other piece I would add is really focusing on the presidential search process. I think there's a lot more that we can be doing to vet and get really great leaders in in play, right? In higher education and different questions that we need to be asking We talk about it in my governance class. Often, you know, we very seldom only see board members step out, but we see presidents and chancellors step down or be removed. And it's like, but who picked those people? It's the board, right? Like, and we don't think about this logically. It's like, y'all pick these folks that you're now saying,

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weren't effective, right? But what were the metrics and what did you use to pick those people? And I don't think that we've done a good job at really changing with the times of what we're looking for, right? Like not just can they make sure we have money and not just can they speak well and be a good face, but what do they care about, right? I think, and why are they doing this? And, you know, I think those these are important pieces that we need to kind of think about both formally and informally, because we know that there's sort of this sort of this idea of what a president looks like and it's sort of this white male and that has been the way it's been for a long time. And I think we need to kind of challenge those notions of what that is. And so those would be some of the things that I add, but

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Again, the problem, and we're talking about this in my class, the students, it's like, unless, yeah, what is it? It's sort of the status quo is the only thing that can't be vetoed. It's sort of like we just we do the same thing over and over again. And because no one has a really great idea, we stay with what we have. And I think we need to really start to think about what are the ways we really could improve the structure of governance that for the future, right? And until we do that, we're, i don't want to say stuck, but this is what we've got. And it has served us well before. And in some cases, it's still serving us well, but

in others, it's not. So how do we really be innovative in thinking about how we can serve our purposes using this structure or an amendment of this structure or are figuring out better ways, because sometimes it could be the structure, but I'm a firm believer too. Sometimes it's the people in the structure that makes it hard. And so which, kind which came first, which which problem came first, right? Type of thing that we have to address.

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Oh yeah. Well, I love those pictures you painted and also the hospital analogy, i think really like strikes home to think about it in that context, right? Especially because education is part of the health of this country for sure.

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And also I'm feeling activated. I wish I could come and take her class. On that note, we always want to end, we end each episode by having our guests try to offer listeners like a tangible action, something to think about or reflect on. i mean, it could even be what I'm going to do, which is pretty nerdy, but go and read the 1947 AUP statement student governance. I'm wondering if there are things that you could suggest for students, faculty, and other campus leaders that they can do to either learn about or impact their university's governance as as we move forward into the future.

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Yeah, it's a great question. so two things I always encourage, you know, and of course, every institution has different levels of transparency, but one is just to get to know your board, right? Like how many people are on your board? How do they get on the board? How often do they meet?

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How do topics and issues get to the board? Do they have committees? Are there administrators who staff the board? And so whenever I'm talking with faculty groups, um I always say like, you sort of have to asset map the board and how they work, how they get information, who has access to them and have a sophisticated and strategic understanding of that. You can't just look them up and say like, okay, yeah, we have eight board members and they're electives. just like, how is it structured?

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What are the bylaws? And, you know, it's a little bit harder at private institutions, but it's pretty straightforward at public institutions where a lot of the information is. So one always say is like, what is your board literacy, your board knowledge, your board awareness, and how can you systematically improve it for your institution? And understand ultimately, and I do this exercise as students in my class, like whatever issue, you're an academic advisor, if you're in a residence hall,

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when and how do issues that impact your day-to-day job, or if you're a student, your day-to-day education, make it to the board, right? So if you're in a residence hall and you're building a new building and the board is approving that, that impacts you, even though it might be three

to five years before that building comes online. But if you're going into residence life, You should understand how, what that might mean for how that's going to impact the staffing of the residence life division. Right. So I try to find wherever that issue is and map it to how it ultimately and makes its way into the board. And that can be a helpful exercise.

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And then the second thing is also understanding from, you know, any given vantage point, like what is the other side of that? Not just in like the political sense, but. You know, if you care a lot about student success, how does somebody, and you know, I'm at Michigan where we think a lot about our health system, right? So part of our DEI tension at Michigan was thinking about how the federal administration was kind of weaponizing, you know, the research apparatus where we're a big, you know, i always say like we're a health system with a university attached to it. And so, you know, thinking about the implications of how that then was pitted is important for me as a faculty member who cares deeply about diversity and inclusion to understand that for the researcher over in the med school, them losing their funding is as equally important and valid of a concern as me losing the DEI office. And so doing that, that thought exercise, right, doesn't diminish my interest in wanting to see my institution support all of its students and doing that in both centralized and nuanced ways. but it does give me some perspective that I think can help me then try to find solutions and new ideas that Raquel was mentioning in ways that don't just say like, well, everybody needs to think like me. It's actually like, okay, I also want the med school to be healthy too. Those things don't have to be at odds, but it requires me and hopefully my colleagues in the med school to also see my point for us to work together strategically then on advancing ideas for the institution that service us both. And I would love to see more of that um kind of perspective taking

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from different vantage points of the institution in ways that aren't kind of creating enemies, but just trying to understand that people have well-held beliefs that might be different than mine, but that are important for me to clock.

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Yeah, I love all of that. I would add, you know, Demetri and often talk about sports analogies, but I would say, you know, become a fan or a critic of the game of higher education, right? And what does that mean? and Learn how it works, right? well Where you are, not just your home team, but also other folks. So you know the strategies and the ways in which people are, because I think so many of us walk across like, you know, most students don't know what is an assistant professor versus a lecturer mean like you're just they just take a class and their actual differences in that like and understand why and so I think asking questions is really important.

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Getting an org chart, I would say, you know, you talk about what's a tangible thing you can do. get an org chart of your institution. So you

sort of know the lay of the land, like obviously there's hidden things in there, things that are missing, obviously the most aren't updated often. And so they're vacant positions or someone's changed, but I think it's really under interesting to understand the hierarchy, right? And so we know that there's also informal leadership that the hierarchy doesn't follow, but I think that's something tangible folks could do is get an org chart and kind of see how this place works, or at least it's supposed to work on paper and who is over who, right? I think that's an important thing. Asking questions is really important. If there's a class on governance, you know, or how universities work, I think that's an important thing for people to know. And I think it's one of those things that I talk to students about, you you're paying for this, whether you're going a scholarship, whatever, like there's money being spent on your behalf. So you want to get all you can out of it and you want to know, be able to maximize it. So you need to know how this place works. And then the other thing I always am telling students is to share the info because I know everyone's not in governance class, but that's the way a lot of learning happens. It's like, you know, I learned from Demetri and let me go share. Oh, I read this great book in the book club with the Free Speech Center. You know, and by the way, Michelle, I shared that with a colleague, one of our old books on tyranny because they're like, well what is that? Because I had it in my office. i was like, well you should read it.

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But anyway, so I think that that's how things get spread. And so I think it's really important for us. So when we learn something about how the institution works or we learn something about governance, we share it because then they're gonna share something else. Like, did you know, right? And I think that this that's just how it works because we don't all have the opportunity to be in classes or to be formally educated or got struck you know struck by bugs like Demetri and I did about governance and gonna take on life and whatever. But I do think it's important for us to kind of understand at least the basics of how these places work. And so I think that's really important that we ask questions about it.

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Well, you have both been exceptionally generous with your time and sharing of your immense amount of knowledge. So I'm really grateful to you for that. And I know I've learned an immense amount and I am hopeful that everybody who listens will not only learn, but as Demetri said, become activated. So thank you so much. Thank you. Yep. Thank you.

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Well, that's a wrap. Many thanks again to Dr. Demetri Morgan and Dr. Raquel Rall for joining us this month and sharing their expertise. We'll talk to you next time.