A Comparison of in University Governing Boards in Private and Public Universities

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Abstract

Good governance is essential in aiding higher education institutions to improve quality and position themselves in the current context characterised by globalisation, internationalisation and economic challenges. In Zimbabwe, poor governance has been blamed for the increase in corrupt activities in many sectors including the higher education sector. Considering that many people believe that the governance of private higher education institutions is better than that of their public counterparts, this paper describes the results of a study that compared Governing Boards of private and public institutions in Zimbabwe in order to get insight into the beneficial aspects of private university governance and recommend the good practices. A cross-sectional qualitative research design was used. The target population consisted of all the six private and nine public universities in Zimbabwe. Four methods of data collection were used namely: documentary evidence; interviews; focus group discussions and observations. The findings revealed similar responsibilities and differences in selection criteria of Board members and levels of commitment, efficiency and effectiveness. The study recommends that Boards should have a clear focus, wider stakeholder representation and should exercise group authority and collective wisdom and not rubberstamp individual members' views.

Keywords: good governance, university board, institutional performance, private university, public university

1. Introduction

Good governance has been touted as the major force in enhancing the quality of higher education (Cutting & Kouzmin, 2001; Kennedy, 2003; Kearney & Huisman 2007; Salmi 2009; Stensaker, Enders & de Boer, 2007). This is premised on the fact that good governance steers institutions to position themselves in the current context characterised by globalisation, internationalisation, global university rankings (Salmi, 2009) and economic challenges. The positive impact of good governance on quality of higher education delivery is aptly demonstrated by studies that show that highly ranked universities are inundated by potential students and that graduates from such institutions are highly sort after by employers due to the quality of the degrees (Geiger, 2004; Morley, Eraut, Aynsley, MacDonald & Shepherd, 2006). Accordingly, policymakers and stakeholders are under great pressure to continuously find ways of improving the quality of university delivery through adjustments on governance (Asiyai, 2015; Saint, 2009, Sajadi, Maleki, Ravaghi, Michael, & Hadi, 2014). Although governance refers to aspects of internal (institutional hierarchy and provisions and procedures within universities) and external (system-level arrangements) governance, this article will focus on university Governing Boards/Councils. This is premised on the fact that university governing boards play the pivotal role in governance the structure, size, responsibilities, selection criteria and the *modus operandi* for the Council impacts positively or negatively on performance of the institution (Aghion, Dewatripont, Hoxby, Mas-Colell, & Sapir 2009; Brennan, 2006; Dahya, Dimitrov & McConnell 2008; Dill & Helm, 1988; Fielden 2008; Golmohammadi, Ranjdoost & Cherati, 2012; Gregg, 2001; Hermalin & Weisbach, 2003; Hilmer, 1998; Kearney & Huisman 2007; Kiel & Nicholson, 2002; Larcker, Richardson & Tuna, 2007; Lee, 1991; Salmi 2009; Stensaker, et al., 2007). As Kezar (2006) puts it "the future of higher education is entrusted to governing boards."

The university board is the executive governing body that has ultimate authority and powers for strategic vision, policy formulation and performance monitoring of the institutions (Arslan, 2013; Fama & Jensen, 1983; Nijmeddin,

2007; Usman, 2013). Currently, the operations and effectiveness of governing boards for organisations inclusive of universities have been a subject of much scrutiny by stakeholders in view of the conflicts of interest and escalating corruption especially in Zimbabwe. There are demands for appointments to boards to be done on merit and in a non-partisan and representative way. People in Zimbabwe generally perceive that private institutions are governed much better than public universities. The current study therefore compared the governing boards of private and public universities in Zimbabwe so as to get insight into the purported beneficial aspects of private university governance.

1.1 University Governance

Stefenhagena (2012) view governance in universities as a specific form of corporate governance that has received increased focus in recent times. Many researchers have proffered various definitions of university governance (Alfred, 1998; Edwards, 2000; Carnegie & Tuck, 2010; Edwards, 2003; Gallagher, 2001; Gayle, John, Tewarie, Bhoendradatt, White & Quinton 2003; Marginson & Considine, 2000). Summed up and resynthesized, university governance concerns itself with internal and external arrangements on how the institution is organised, planned, managed and coordinated as well as the structures, frameworks, resources, activities, protocols and processes used for achieving its objectives as well as its interrelationships with key stakeholders.

1.2 Models of University Governance

Various university governance models have been documented in an effort to recommend best practices and hence achieve high quality educational delivery (Trakman, 2008). These include shared/stakeholder governance (Lau, 1996; Shattock, 2002; Schuetz, 1999; Shale; 2002; Stevenson (2004); state-control (Maassen & van Vught, 1994; Neave & van Vught, 1994); state-supervision (Bundy, 2006; Fielden, 2008; Maassen & van Vught, 1994; Neave, 1988); collegial governance (Middlehurst and Elton 1992; Pfnister, 1970; Dill and Helm, 1988; Evans, 1999; managerial governance (Deem, Hillyard & Reed 2007; Marginson and Considine, 2000), trustee governance (Freedman, 2004; Rosovsky, 1990) and corporate governance (Mingle, 2000; Nelson, 2003). It is generally accepted that there is no one size fits all as far as governance models are concerned. However, Osborne (1998:1) avers that: "… good governance seeks for greater accountability, participation, transparency, competition, and less regulation."

1.3 Factors That Influence the Quality of Board Performance

Cossin and Caballero (2014) found that for a board to be effective the members should have diverse qualifications, experience, gender, personality and opinion. They argue that diversity creates a pool of expertise necessary for innovation. However, this diversity needs to be managed to ensure harmony, good communication and board cohesiveness. There is however, lack of consensus by researchers regarding the optimum size of the board that ensures the best performance. Lipton & Lorsch (1992) recommend a board size of eight or nine whilst Garcıa Lara et al. (2007) recommend that Board members should not exceed 15. However, Monks & Minow (1996) believe that the size of a governing board does not matter.

Poor governance has been blamed for perpetuating corruption in education, leading to poor quality of educational delivery and failure of universities to achieve set goals (Braxton & Bayer, 1999; Heyneman et al., 2007). Heyneman (2002) defines corruption in education as the methodical abuse of authority for personal and material gain which has detrimental effect on quality, equity and access. The major types of corruption that are prevalent in education are misappropriation, fraud, bribery, extortion and preferential treatment by those in authority (Amundsen, 2000; Chapman, 2002). Hallak & Poisson (2002) aver that corruption has become entrenched in the education sector notably in developing countries.

1.4 Objectives of the Study

Guided by the general belief that there is less corruption and student unrests in private universities and hence they are better governed than public ones, this study compared the governing boards of Zimbabwean private and public universities in order to get insight into the beneficial aspects of private university governance. The specific objectives were:

    1.4.1   Analyse and compare the structure and responsibilities of the university board in public and private universities.

    1.4.2   Explore and compare the selection criteria and modalities of board members for private and public universities.

    1.4.3   Determine the key drivers for effective and efficient governance in private and public universities.

    1.4.4   Ascertain whether and why private universities are better governed than their public counterparts.

2. Methodology

2.1 Design of the Study

A cross-sectional qualitative, descriptive and comparative research design was used. As advised by Jankowicz, (1995), these approaches are the best for purposes of comparing two entities in this case private and public universities systematically.

2.2 Target Population and Sample Selection

The target population consisted of all the six private and nine public universities registered in Zimbabwe. Purposive sampling was used to select institutions to be included in the study and the relevant key informants (Tremblay, 1982). Due to the similarity of governance systems in the public universities, only three out of the nine were purposively selected and included in the study. The selection was done on the basis of the mandate of the university. Consequently, the three selected public universities were: Great Zimbabwe University (Culture and heritage mandate); Chinhoyi University of Technology (Science, technology and entrepreneurship mandate); and Midlands State University (Comprehensive mandate). Three out of the six private universities were also purposively selected as follows: Reformed Church University (Reformed Church in Zimbabwe-owned); Africa University (Methodist church-related organisation) and Women's University in Africa (owned by a Board of Trustees).

2.3 Data Collection Methods

The following four data collection methods were employed:

2.3.1 Semi-structured interviews (face to face and telephonic) with three Board members from each of the six universities under study (18 informants);

2.3.2 Focus group meetings of 5 to 8 people aimed at obtaining shared perspectives from internal members of council inclusive of executive management, administrative staff, deans, departments heads, students and workers committee representatives (six focus groups per institution);

2.3.3 Direct observation by the researchers who participated in some Board meetings; and

2.3.4 Review of secondary data on Board documents.

2.4 Interview Guide

The structured interview guide included questions on: the governing body type, size, selection modalities, structure, responsibilities and its effectiveness. Overall, 18 board members were successfully interviewed, 36 focus group discussions were carried out, 10 Board meetings were attended, five at a public university and five at a private university during the study period.

3. Results

3.1 Structure, Selection Modalities and Size of the University Governing Boards

Governing boards for both private and public universities are referred to as Councils. The membership and structure of public university councils are determined by the Act of Parliament for the particular university. The structures of councils in public universities are generally similar but the type of representation and the number of Council members depends on the mandate of the university. The number of councillors range from 21 to 35 members. However, the average number of councillors represented at each council meeting is 18. The structure of council aims to capture as much representation and balance from key stakeholders as is possible. Council members are appointed the Minister of Higher and Tertiary Education, Science and Technology Development in concurrence with His Excellency the President of Zimbabwe who is also the Chancellor of all public universities.

The councils are made up of internal and external members. External members are drawn from the academia, government, industry, commerce, professional bodies and other relevant stakeholder groups. Internal members comprise of management, full professors, senate representatives, workers committee representatives and student union representatives. The length of tenure for council members is three years. However, membership can be renewed for as long as the members are still required by the appointing authorities. Respondents mentioned that for public universities renewal of tenure was not based on performance assessment but on whether or not the member is towing the line in the eyes of the appointing authorities.

Several interviewees also alluded to the fact that although the Acts of Parliament for all public universities direct that the Chairperson of council be elected by the councillors at their inauguration meeting, in reality it is the government which indicates whom they want to lead the council. Some respondents also alleged that selection of Council

members in public universities was based on patronage, political affiliation, nepotism, public standing and chicanery. One respondent said "because the appointment of councillors in public universities is done centrally (at Ministry level) most members are recycled within the system. It is not unusual for one member to sit in more than three university councils as well as several other boards. Moreover, the term of office can be extended numerous times." Some respondents mentioned that some board members saw their participation in councils as an opportunity to advance their sectoral, ethnical or geographic allegiances.

Private Universities have a Board of Trustees as well as a council. The Board of Trustees acts in the same way as the Ministry does in public universities wherein it guides policy and approves some of the decisions of council. The Board of Trustees represent the owners of the university. In church related institutions, the Board of Trustees is the same as the Supreme body of the church. The appointment of council members for private universities is made by the Board of Trustees, with strong influence from the church. The number of council members for private universities ranged from 15 to 23. The selection of the Chairperson for council varies from one private university to another. Whilst the Board of Trustees for church related universities select a chairperson of council from amongst them or the Overseer of the church chairs the Board and is changed every 2 years, the members of the council for non-church related private universities select a chairperson using secret ballot and the one with the highest count is made the Chairperson. Generally, selection of Board members for private universities is premised on not only church membership but 'standing' in the church as well.

3.2 Responsibilities of Governing Boards

There are similarities in the responsibilities of Council. The responsibilities given are as follows:

3.2.1   Providing strategic direction in in line with the mandate of the university and the national imperatives. In this respect the council is responsible for approving and reviewing strategic plans for the university as well as ensuring that budgets and resource allocation is adequately linked to the strategic plan.

3.2.2   Governing the university by approving policies and procedures for implementation of institutional goals as well as setting appropriate committees to deal with academic, developmental, administrative, public relations and research issues.

3.2.3   Ensuring good management by recruitment and selection of executive management (and making recommendations for their appointment). They also supervise and motivate university management, academic and non-academic staff and students.

3.2.4   Acting as the interface between the university, government, industry, other stakeholders and development partners.

3.2.5   Establishing and maintaining quality standards of teaching, research and community service

Although the responsibilities of the governing boards are generally similar, in public universities it is the Ministry of Higher and Tertiary Education, Science and Technology Development that guide policy and approves the appointment of senior officers as well as some budget and finance issues whilst in private universities that role is assumed by the Board of Trustees. In both cases the Zimbabwe Council for Higher Education (ZIMCHE) provides benchmarks on all issues that affect the quality of higher education delivery.

3.3 Modus Operandi of Councils

Generally councils for both private and public universities hold their meetings four times a year. These quarterly council meetings provide members the opportunity to deliberate on matters affecting the institutions. Special meetings are held as and when urgent issues arise, for example when students or staff strike. Each council has different sub-committees inclusive of staff appointments; audit and risk; finance; information and communication technology; academic and research and fund-raising committees. One interviewee said, "our accounts are carefully audited every year by both internal and external auditors". Student enrolment and graduation statistics, research outputs, standards, financial and operational issues are included in the annual report that is approved by council before the report is presented to ZIMCHE in accordance to the agreed performance indicators and reporting format. ZIMCHE then consolidates the reports from all universities and submit it to the Minister for Higher Education, Science and Technology. The existence of such explicit reporting channels improves university governance.

Private university councils evaluate their performance annually to check whether council is operating efficiently and effectively. Respondents were not aware of any monitoring and evaluation.

4. Discussion

An analysis of the selection modalities, structure, size of board, responsibilities in public and private universities highlights the following points that impact on the overall efficiency and effectiveness of the Board:

Boards of public universities are larger and have wider representation (21 to 35 members) than those of private universities (15 to 23 members). The emphasis on broad representation of stakeholders by public university councils is aligned to the stakeholder theory of corporate governance (Freeman and Phillips, 2002) and the recommendations by several scholars (Evan & Freeman; 1993; Jones & Goldberg, 1982). However, although board members from public universities have representation spanning across diverse professions, age groups, gender and religions and cultures, their selection is a highly politicized undertaking fraught with underhand dealings. As a result, some board members might not be as knowledgeable or as active as is required resulting in them window dressing council and receiving allowances for very minimal input. This corroborates with some researchers who suggest that although large boards enhance the experience and knowledge base available to the organisation, they are less flexible and more inefficient (Lipton & Lorsch, 1992; Jensen, 1993).

Some board members tend to have ethnical or geographic allegiances which they seek to protect at the expense of the institution or the higher education fraternity. Hoare (1995) whilst acknowledging the importance of diverse stakeholder representation argues that members should make contributions that improve institutional performance and abstain from advancing sectional interests. Considering the foregoing, it can therefore be deduced that since board members of private universities are fewer and categorically selected based on expertise, commitment and church standing, they more focused and perform better than those of public universities. In addition the private university boards and board members are evaluated annually. However, the bias towards religious affiliation in selecting members can jeopardise chances for non-church members with relevant expertise to be part of council thereby compromising the quality of service.

Public university boards are made up of members who participate in multiple boards thereby affecting performance and commitment; issues of conflict of interest as they serve other interests. In addition, the recycling of members limits the extent to which new ideas are infused into the higher education sector. Private university board membership is limited to one or two terms only and in some instances the tenure for council is two years. Private universities are self-financing; hence priority is mostly given to managing funds for survival.

Public university boards reportedly have challenges of rubberstamping decisions made by institutions' management or succumbing to directives purportedly emanating from the parent ministry. Respondents reported that internal council members normally do not contribute anything in council since this was considered to be the preserve of the Vice Chancellor in public universities. Private university boards have greater autonomy to make decisions that benefit the institution.

5. Conclusion

The study revealed similar responsibilities and differences in selection modalities of Board members and levels of commitment, efficiency and effectiveness. The following conclusions can be drawn from the study:

- Boards for private universities are inclined towards the business model of governance which involves performance monitoring whilst Boards for public universities are inclined more to the stakeholder model.

- Private university Board members are selected by the Board of Trustees whilst the Minister of Higher and TertaryEducation is responsible for selecting board members in public universities. Thus both boards suffer from interference which acts as a way of monitoring the work of the board.

- Both boards use committes to provide checks and balances for ensuring adherence to of reporting structures, audits and other operational procedures. These appear to be more effective in private boards than in public ones.

- In both boards the quality of institutional performance clearly depended largely on council leadership and personalities of members.

- Generally, private university governance provides better results than that of public institutions mainly because of ownership reasons and the need to remain financially afloat. Usman (2014) reporting from the Pakistani context, also found that private university boards are more efficient than public university boards. The argument why this is so was centred on issues of autonomy, member appointment modalities and focus on quality attributed to private university boards.

Based on the foregoing, the study recommends that boards should have a clear focus, wider stakeholder

representation and should exercise group authority and collective wisdom and not rubberstamp individual members' views. Evaluation of the Board both as an internal and external process is also critical.

Acknowledgements

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