

Higher Education Governance and Decision-Making

Toward Culturally Sustaining Governance in Higher Education: Best Practices of Theory, Research, and Practice

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ABSTRACT: Demographic shifts within the nation have elicited an explicit and implicit call to action to address issues of diversity, equity, and inclusion. Topics such as curriculum, access, and tuition and individuals such as students, faculty, staff, and even administrators are presently foci for equity-centered initiatives and research within higher education. Within the equity imperative, however, one vital stakeholder group continues to be ignored in both research and practice—governing boards of higher education. As the group situated at the highest level of leadership, governance, and decision-making in higher education institutions, it is of great concern that research has not explored the role of the board as related to issues of equity, inclusion, and diversity. The authors reflect on the development of culturally sustaining governance (CSG) and the ways it can be applied in higher education. The authors argue for an increase of scholarship at the intersection of governance and equity. The authors discuss their work with boards as an example of how culturally sustaining governance facilitates a recognition of decision-making that intentionally prioritizes matters of equity and justice. Specifically, using document analysis, extant literature, and exemplar board cases, the authors present and define CSG within higher education, then delineate its features specifically for boards. The authors encourage additional research in this space in order to advance equity goals in higher education. Ultimately, the authors suggest that to better recognize, comprehend, and challenge systemic educational and social injustices, postsecondary stakeholders must consider and center the decision-making practices of trustee boards.

KEYWORDS: boards of trustees, governing boards, decision-making, leadership, equity, diversity

Rapidly transforming demographics worldwide call for visionary, collaborative, and culturally responsive leadership practices in postsecondary education (Santamaría & Santamaría, 2015) to create inclusive academic environments for populations from diverse backgrounds (Johnson, 2014; Riehl, 2000). A persistent

challenge for practitioners, policy-makers, and academics is cultivating equitable access, experiences, opportunities, and outcomes for minoritized populations in higher education (Hurtado, Alvarez, Guillermo-Wann, Cuellar, & Arellano, 2012). A sound body of evidence demonstrates the numerous ways campus climate and culture can be improved when equity-centered practices are used (Harper & Hurtado, 2007, Hurtado et al., 2012; Renn, 2010), especially for groups of students (Harper, Patton Davis, & Wooden, 2009), staff (Mayhew, Grunwald, & Dey, 2006), and faculty (Croom & Patton Davis, 2012) that continue to experience marginalization, underrepresentation, and implicit and explicit forms of hostility in their pursuits to participate in postsecondary education spaces.

Recent reports reiterate the need to continue to focus on creating equity-centric environments built on a foundation of “actions that demonstrate individuals’ capacity to recognize and address racialized structures, policies, and practices that produce and sustain racial inequities” (Malcom-Piqueux & Bensimon, 2017, p. 5). Yet the way this process often gets operationalized is to put the onus on students (Ransby, 2015) or a small cadre of staff and faculty who may not be fully empowered to make transformational changes (LePeau, Morgan, Zimmerman, Snipes, & Marcotte, 2016). Few draw attention to the importance of leadership and decision-making in cultivating institutional change toward more equitable outcomes and experiences (Kezar & Eckel, 2002). At present, the pursuits of educational equity and postsecondary institutional leadership have not been woven together deeply enough to spark any sustained approach to institutional transformation. Specifically, most recommendations in the literature on higher education leadership and equity have neglected consideration of the ultimate decision-makers of the institution—higher education boards of trustees (Rall, Morgan, & Commodore, 2018).

Our focus is to simultaneously address two major omissions. First, the majority of leadership scholarship generally acknowledges the existence of but ignores the consequential role of the governing board in campus change and leadership. Second, the equity literature disregards the influence and role of the board in addressing issues of inclusion. Instead, the literature tends to focus on student affairs professionals, professors, and administrators with no research on or thought to the role that board members play in organizational change within higher education (Kezar & Eckel, 2008; Leon, 2014). The limited research that exists demonstrates the importance of broad leadership throughout campus at multiple levels (presidents, provosts, deans, department chairs, and faculty)—but not trustees (Kezar & Eckel, 2008). The authors fill this gap in our understanding by studying equity as a process of institutional change related to leadership via board decision-making. We advance research on creating transformational, equity-centered change in higher education by exploring the decision-making of higher education boards of trustees to help identify practical ways boards can

incorporate and prioritize equity in their decision-making. We first make the case for why the simultaneous focus on boards and equity in higher education is imperative. Then we introduce and provide an overview of culturally sustaining governance. Next, we highlight examples of culturally sustaining governance in action. We conclude with implications for future research.

Connecting Culture, Organizational Decision-Making, and Equity

Decision-making is essential to the success of any organization (De Dreu, & West, 2001; Sharfman & Dean, 1997). In particular, when organizational leaders make decisions with relevant information about the organizational culture, the organization's pursuit of its goals is enhanced (Bresfelean & Ghisoio, 2009). Yet few empirical studies consider the influence of culture on organizational decision-making (Tierney, 2008; Tierney & Rall, 2018). Schein (2004) defines culture as

a pattern of shared basic assumptions that was learned by a group as it solved its problems of external adaptation and internal integration, that has worked well enough to be considered valid and, therefore, to be taught to new members as the correct way to perceive, think, and feel in relation to those problems. (p. 17)

These patterns of shared assumptions operate on at least four levels, including macro-cultures, organizational culture, subcultures, and microcultures. At both the K–12 and postsecondary education levels, the operating stance for many educators and administrators is that for students to be successful they need to adopt the prevailing cultural norms of society—even if it is at odds with their own cultural understanding and knowledge. This tension has given rise to a plethora of scholarship concerned with asserting the necessity for educators to take seriously the cultural differences that students possess and to in fact leverage those differences for educational purposes and ultimately self- and community determination (Delpit, 2006; Ladson-Billings, 1995). Broadly, Ladson-Billings (2014) notes that aspects of cultural relevance include academic success, cultural competence, and sociopolitical consciousness. Hence, the pursuit of equity by scholars and educators is a push for educational outcomes that are cognizant of and responsive to the numerous ways in which cultural elements at different levels impede or propel student success and institutional accountability (Harper, Patton Davis, & Wooden, 2009). We contend that trustees are uniquely situated to serve as a bridge between cultural forces within society and higher education institutions if they enact equity-centered decision-making in both collective and individual ways (Novak & Johnston, 2005).

Equity-centered decision-making is characterized by critical and collaborative inquiry that obliges trustees to be active contributors rather than passive spectators of essential equity work within their institutions and in higher education

more broadly (Ladson-Billings, 2014). Using an equity lens in decision-making, board members can take responsibility for institutional accountability for enhancing access, opportunities, experiences, and outcomes for populations that have traditionally been marginalized on campus. Although numerous higher education scholars, policy-makers, and educators engage in necessary and valuable equity work, these efforts are all too often confined to intellectual silos (Museus, Ledesma, & Parker, 2015). Additionally, challenging inequity in order to better support communities of color that suffer from systemic oppression is of the utmost importance (Museus, Ledesma, & Parker, 2015) if we are to address the myriad disparities of outcomes and experiences in higher education. In response, our research pushes for equity work embedded within higher education leadership and governance in order to center an integral yet often ignored group of higher education influencers—boards of trustees.

Why Boards?

It is common for governance research to overemphasize the fiduciary role of the board while ignoring or underestimating the board's role in initiating, managing, and supporting institutional change (Mactaggart, 2011). Boards cannot escape the market forces that will test their duty to provide strategic direction for the future of higher education (Taylor & Machado, 2008) because these forces will potentially influence higher education more in the future than they have in the past (Hansmann, 2012). The need for members of these boards to be well informed about and sensitive to those factors that facilitate good decision-making in the midst of environmental pressures cannot be overstated (Association of Governing Boards of Universities and Colleges, 2013; Kerr, 1963). Because most trustees do not have backgrounds in or familiarity with higher education and devote only part-time and nonspecific oversight to the operations of higher education institutions, some suggest that they realistically cannot direct change (Keller, 2004). Boards, though, are tasked with guiding and overseeing transformation while simultaneously assessing and meeting the need for action and deliberation by working as part of a team to best accommodate the complexities of higher education governance (Hill, Green, & Eckel, 2001). The board's "ability to envision and shape institutional direction[,] . . . sharpen institutional priorities and ensure a strategic approach to the organization's future" is thus key (Chait, Holland, & Taylor, 1991, p. 95). As fiduciaries of higher education, trustees must maintain congruence between the written statements of institutional priorities with the policies, procedures, and practices that support said priorities; they have a responsibility to protect the original goals and purposes of their institutions (Hendrickson, Lane, Harris, & Dorman, 2013). Accordingly, they have a fiduciary duty to protect new goals and purposes of their institutions, including those such as equity.

In 2007, the Association of Governing Boards put forth that boards are accountable to (1) the institution's mission and cultural heritage, (2) the transcendent values and principles that guide and shape higher education, (3) the public interest and public trust, and (4) the legitimate and relevant interests of the institution's various constituencies. (p. 2–3)

In addition, the increasingly interdisciplinary nature of the 21st century, the current political climate, and the global challenges our society faces require that boards be engaged in decision-making that will prepare them to address and solve challenges of inequity because these issues are not going away. The time is now and the mission is urgent: “No other group . . . has the potential to leverage positive change affecting the lives and careers of so many” (MacTaggart, 2011, p. 111).

Trustees are well positioned to wield considerable influence on universities, both as it relates to determining internal goals, policies, processes, and outcomes as well as with regard to engaging external stakeholders to benefit from opportunities, forge new connections, or buffer against threats in the external environment (Bensimon 2005; Birnbaum 1992; Rabovsky & Rutherford, 2016). This influence is far-reaching, as demonstrated by the interlocks within the public and private sectors within and outside of academia (Pusser, Slaughter, & Thomas, 2006), so the extent to which this external influence might affect and guide equity initiatives and priorities must be examined.

Why Equity?

American higher education is more stratified today than at any time during the past four decades (Astin & Oseguera, 2004). Despite the prevalence of difference, a focus on equity—pushing beyond the equality of rights, opportunities, and identities (Clancy & Goastellec 2007)—does not come naturally. In fact, one of the most pressing challenges in higher education in the 21st century is holding institutions accountable for facilitating equitable outcomes for students (Pena, Bensimon, Colyar, 2006). In relation to other spheres, equity is unevenly developed in higher education (Morley, 1997). Much remains to be accomplished to ensure equity is a mainstay within higher education (Harper, Patton, & Wooden, 2009).

While some trustees may be committed to equity on an individual level, the inherent challenges of getting any group to cooperate and shift focus make pushes for equity in governance spaces all the more challenging. Equity-mindedness requires fundamental knowledge and a great deal of practice to avoid the risk of increasing inequity (Bensimon, 2018). Consequently, we need to further examine the connection between a focus on equity and organizational change in order to unearth strategies that can be adopted and scaled in different boardrooms and across a wide range of trustees (Lilly Family School of Philanthropy Indiana University IUPUI, 2018). With the right foundation, institutional actors can push

to change themselves and their institutions in order to create equitable outcomes (Felix, Bensimon, Hanson, Gray, & Klingsmith, 2015). In the next section, we define this ideal fusion of equity and organizational control as culturally sustaining governance.

What Is Culturally Sustaining Governance?

For the past three years, we have engaged in research and practice centered on evolving the theory and practice of higher education governance (e.g., Rall, Morgan, & Commodore, 2018). Our work has led us to realize that many boards possess the unmet capacity to understand, recognize, and prioritize equity. In particular, boards are positioned to help lead institutions in ways that create systems, policies, and structures that affirm the unique needs of all stakeholders (particularly those that are minoritized due to hegemonic and oppressive forces) and marshal resources in ways that promote their full inclusion and ultimate success.

Boards have the ability to do this work not by hoping stakeholders conform to an organizational culture that was never meant for them and serves only a few; rather, boards work to recognize the assets and strengths of each of the members of the campus community and leverage those traits to help propel and strengthen institutional transformation. We term this approach to higher education leadership culturally sustaining governance. In other words, culturally sustaining board members consider culture by way of equity as a central piece of their decision-making.

Culturally sustaining governance is a mind-set, tool, and approach to empower trustees and their affiliates to prioritize equity through resources, knowledge, skills, behaviors, and attitudes that inform decision-making. A defining feature of trustees operationalizing culturally sustaining governance is their ability to make pivotal decisions on behalf of the institution at the same time as they focus on what is equitable. The import of culturally sustaining governance is its ability to address both demands without diminishing either (Ladson-Billings, 2014). In developing the theory of culturally sustaining governance, we use culturally sustaining pedagogy (Paris, 2012), culturally relevant pedagogy (Ladson-Billings, 1995), and culturally responsive leadership (Santamaría & Santamaría, 2015) as a springboard and then infuse principal-agent theory (Lane & Kivisto, 2008). This combination demonstrates that we need a solid understanding of the contextual factors that affect governance relationships, practices, policies, and structures. We look at how boards have been empowered to fulfill the needs of institutions.

Culturally Sustaining/Relevant Pedagogy

Culturally relevant pedagogy shows potential for shaping the effects of the cultural conflicts within the system of education (Brown-Jeffy & Cooper, 2011). The terms *culturally relevant* (Ladson-Billings, 1995), *culturally appropriate* (Au & Jordan, 1981), *culturally congruent* (Au & Mason, 1983), *instructional congruence*

(Lee & Fradd, 2001), *culturally compatible* (Vogt, Jordan, & Tharp, 1987), *culturally responsive* (Gay, 2000), *culturally centered* (Sheets, 1995), *culturally sensitive* (Harris, Brown, Ford, & Richardson, 2004), *multicultural pedagogy* (Johnson & Inoue, 2003), *engaged pedagogy* (Lipka et al., 2005), *cultural synchronization* (Irvine, 1990), *cultural competence* (Diller & Moule, 2005), and others have been used to describe both pedagogical practices and learning environments that infuse the recognition of and alignment with student culture.

Ladson-Billings (2000) argues that culturally relevant pedagogy rests on three requisites—students must experience success, develop and/or maintain cultural competence, and develop a critical consciousness in order to challenge the existing norms in education (Osborne, 1996). Culturally relevant pedagogy is a philosophy, a goal, and a process (Harris, Brown, & Ford, 2004) and “empowers students intellectually, socially, emotionally, and politically by using cultural referents to impart knowledge, skills, and attitudes” (Ladson-Billings, 1994, p. 18). The underlying premise of culturally relevant pedagogy is that all students can learn and should be given sufficient opportunity to learn in a way that incorporates rather than conflicts with the student’s own community and home life.

Culturally Responsive Leadership

Culturally responsive leadership is derived from culturally responsive pedagogy (Ladson-Billings, 1995) and involves the leadership philosophies, practices, and policies that create inclusive academic environments for populations from diverse backgrounds (Johnson, 2014; Riehl, 2000). Scholars define culturally responsive leadership as the practice of emphasizing high expectations for academic achievement, promoting equitable and inclusive practices, and developing organizational structures that empower stakeholders to become invested in institutional well-being (Johnson & Fuller, 2014).

At present, institutional leaders are not prepared to confront issues of equity (Boske, 2009). At the same time, a growing body of theory and research reveals that culturally responsive leadership is feasible; higher education leaders can improve their practice in order to create social justice (Agosto, Dias, Kaiza, McHatton, & Elam, 2013), social equity (LePeau, Snipes, Morgan, & Zimmerman, 2018), and educational change (Kezar & Eckel, 2008; Leon 2014; Santamaría & Santamaría, 2015). While scholars have looked to faculty, staff, and even administrators, research has not rigorously exhausted cultural responsivity at the highest level of leadership, governance, and in decision-making in higher education—institutional governing boards.

Principal-Agent Theory

Principal-agent theory provides a useful framework for describing the relationship between actors who exchange resources (Lamothe, 2011; Milward & Provan,

1998; Van Slyke, 2007). This framework describes a relationship in which “one party (a principal) delegates work to another (an agent) who performs the work” (Eisenhardt, 1989, p. 58). The agent not only acts on behalf of the principal but also may be able to more effectively assert the interests of the principal (Moffitt & Bordone, 2005). In higher education, this is exemplified in a governance structure where the board of trustees is entrusted to make central recommendations and decisions for postsecondary institutions (McLendon, 2003).

Our research on boards has demonstrated that boards have the ability to fill the void in equity-centered decision-making in order to address the various shifts occurring in higher education. According to principal-agent theory, when the context changes so that expectations of the involved parties are changed, structures and strategies need to change in response (Sinclair, 1999). Callan (1994) alludes to this: “Governing and coordinating structures and processes will either change with their social environment or become redundant” (p. 17). As the greatest governance challenge in postsecondary education is balancing core missions while adapting to a progressively unpredictable set of market forces (Mortimer & Sathre, 2006), the question remains: “Do governing boards now confront social conditions which may erode the traditional pattern and function of the corporate form?” (Duryea, 2000, p. 5). In other words, can boards continue on with business as usual in the midst of social cries for enhanced emphasis on equity, inclusion, and diversity? The work of Ladson-Billings and others on culturally relevant pedagogy leads us to believe the answer is “no.” Increasing the diversity of student cultures on campus requires that campus leadership adapt to meet the needs of these students (Ladson-Billings, 2009).

Culturally Sustaining Governance Indicators

Unfortunately, no parallel to the culturally inclusive practices mentioned above exists for governance environments that infuse the recognition of and attention to context and culture. We argue here that culturally inclusive practices such as culturally sustaining governance could benefit higher education as a whole in the same way that culturally relevant pedagogy benefits a diversity of students within the classroom. Culture is a dynamic that necessarily informs education; however, at present, we do not utilize this connection to the advantage of governance in higher education. It is important to emphasize and not merely hint toward the relationship between governance and culture in the higher education context. An in-depth review and application of culturally sustaining governance can have lasting implications for higher education in the United States, as culturally sustaining governance gives credence to minority communities’ funds of knowledge, which are typically overlooked (Wright, 2011). Recognition of culture can inform governance and policy, resulting in more diversified and successful campus environments.

Culturally sustaining governance rests on three requisites—trustees must prioritize decision-making that helps campus stakeholders experience success, develop and/or maintain cultural competence, and develop a critical consciousness (Gay & Kirkland, 2003) in order to challenge the existing norms in educational decision-making. Critical consciousness, as related to trustees, is the ability to intervene in decision-making in order to change outcomes and reality (Freire, 1970). Outside of the boardroom, trustees develop a higher level of concern for developing an in-depth understanding of the issues plaguing the nation and an action orientation against oppression and exclusion. Culturally sustaining governance is simultaneously a philosophy, a goal, a process, and an accountability mechanism, enabling trustees to use cultural referents to take on skills, attitudes, behaviors, and decision-making practices that center equity in the work with which boards have already been tasked. The fundamental core of culturally sustaining governance is the ability to link principles of leadership and governance with deep awareness and understanding of, and appreciation for, different types of culture at different levels. We push for trustees to consider the critical perspectives, policies, practices, and decisions that have a direct impact on the lives and communities of students, staff, and faculty (Ladson-Billings, 2014).

In particular, culturally sustaining governance is deliberately conscious of the “other” and specifically seeks to eliminate the widening postsecondary gaps for minoritized populations. This means that boards prioritize institutional accountability and keep the implications that their decisions have on minoritized groups top of mind. This perspective is imperative because it allows boards to recognize when institutional policies, procedures, and practices exacerbate or maintain inequities rather than ameliorate them. While higher education continues to address new issues, issues of equity remain prevalent. The influence of the board can either (re)produce inequity or engender transformation for positive social change that will influence the campus and community at large. We introduce dimensions of culturally sustaining governance (CSG) to highlight a framework of how boards might approach their work differently (Paris, 2012; Ladson-Billings, 2014).

Culturally sustaining governance shifts decision-making toward considering the backgrounds that postsecondary stakeholders (students, faculty, staff, etc.) from minoritized groups bring to the campus and the implications of decisions for these population groups. There is an expectation that decision-making will be a collaborative effort among the students, faculty, administrators, communities, and boards. There is evidence of a desire to help all higher education stakeholders succeed and an underlying belief that all of these stakeholders are capable of thriving and reaching their educational, professional, and leadership goals. We conceptualized four domains central to culturally sustaining governance (Figure 1):

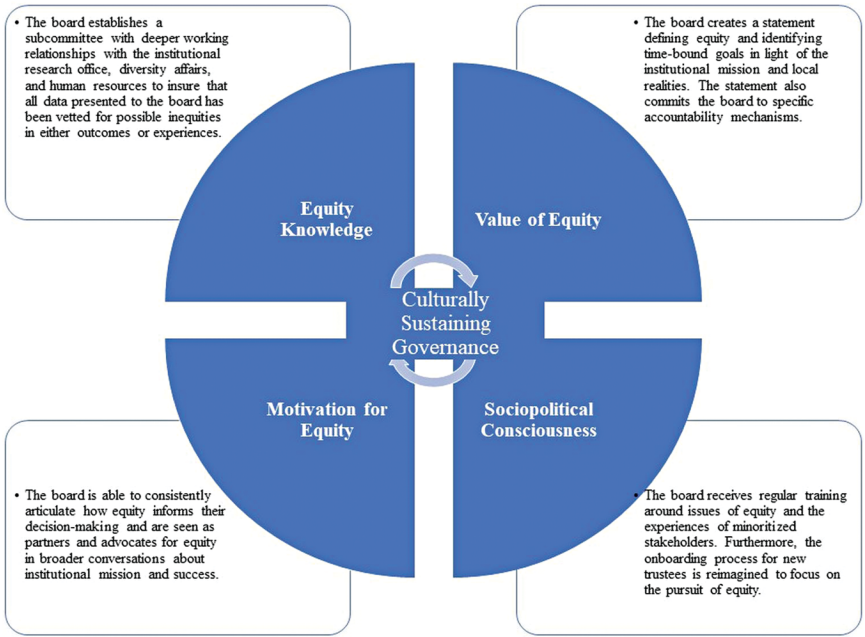


Figure 1: Four domains of culturally sustaining governance

equity knowledge, value of equity, sociopolitical consciousness, and motivation for equity. Equity knowledge pertains to understanding

- the distinction between equality and equity,
- the need for disaggregated data to determine equity gaps, and
- that equity is an ongoing push, not something that can be achieved once and will no longer be an issue.

It is also important to observe whether trustees value equity for equity's sake. This means trustees prioritize the pursuit of equitable outcomes and see it as integral to the success of the institution and not just something to check off of a list. In this context, sociopolitical consciousness describes a board's ability to prioritize equity beyond the scope of the formal meeting. In other words, boards can situate and understand the impact of their (in)actions in different contexts. Finally, boards need to have some sort of motivation for equity. Sometimes the motivation for equitable outcomes coincides with efforts to improve institutional rankings; other times it is a jarring awakening based on injustices on campus that go viral, or it can simply be a response to one or two board members championing a cause.

Because all of the power rests with the board as a collective, the only way to ascertain if any of these domains of CSG ring true is to look at decisions, actions,

Board Role	Description	Example	The CSG Response
Initiator	Boards spearhead a policy, practice, or behavior to maximize equity on campus	Regents Working Group on Principles Against Intolerance	Board members must continue to prioritize decision-making that facilitates equitable opportunities for all stakeholders to achieve their full potential
Catalyst	Boards follow the impetus of others (e.g., community groups) to make a change to improve equitable outcomes	Policy on University of California Diversity Statement	Board members must assume the commitment to and strategy for advancing equity initiated by other groups and demonstrate support via policy and practice where possible
Barrier	Boards themselves directly create a challenge for the advancement of equity in higher education	Proposition 209	Board members must become active participants in challenging injustice and oppression through heightened mechanisms of accountability and the re-examination of educational practices, policies, and leadership
Inhibitor	Boards slow, prevent, or fail to get involved in movement toward equity	Removal of student advisory position	Boards can engage in intentional equity and diversity training around higher education issues that affect minoritized populations

Table 1: The Role the Board Plays in Institutional Equity Transformation

and behaviors of board members. The four domains are manifest in at least four ways: (1) decision-making that facilitates equitable opportunities for all stakeholders to achieve their full potential, (2) intentional equity and diversity training around higher education issues that affect minoritized populations, (3) commitment to and strategy for diversifying the composition of boards, and (4) board members as active participants in challenging injustice and oppression through heightened mechanisms of accountability and the (re)examination of educational practices, policies, and leadership. We consider what role the board plays in institutional transformation rooted in a pursuit of equity: initiator, barrier, catalyst, or inhibitor (see [Table 1](#))? Examples are provided in the subsequent section.

Culturally Sustaining Governance in Action

A challenge for higher education is to apply lessons learned from decision-making to reduce biases and improve outcomes for all (O'Meara, Jaeger, Misra, Lennartz, & Kuvaeva, 2018). We contend that to move toward governance models that address issues of equity, an initial step is to support the concept with significant theoretical grounding. Accordingly, we focus next on the various policies and practices of the University of California, an exemplary case of a governing board making decisions related to issues of equity across and within institutions.

Situated in one of the most racially diverse states in the nation (McCann, 2018), the University of California (UC) Board of Regents has modeled elements of culturally sustaining governance. We selected California, specifically the UC system, as the archetype for this paper because of its history as a leader in both equity and education. Of the nine undergraduate campuses in the UC system, six are ranked among the top 12 public institutions in the nation (U.S. News and World Report, 2019). According to the diversity page on the University of California website:

The University of California was founded with the purpose of making higher education available to all California citizens—and fulfilling that purpose requires that we cultivate a community reflective of the richness and diversity of the state. Everyone in the university community has the right to work and study in an inclusive environment, one that respects the diversity of all its members. (n.d.)

So within UC, there is a precedent for high standards of academic and inclusive excellence. This duality was a major consideration for us as literature often presumes that institutions can be good at one or the other but not both at the same time (Sternberg, 2006; Whiteford, Shah, & Sid Nair, 2013; Williams, Berger, & McClendon, 2005). An emphasis on academics and equity, however, is inadequate to establish standards of culturally sustaining governance. It is important to consider what role (if any) the board plays in pushing for or maintaining these ideals for academic and inclusive excellence.

Article IX, Section 9 of the California Constitution gives the board “full powers of organization and governance” subject only to very specific areas of legislative control. According to the bylaws, the regents

serve as trustees for the people of the State of California and as stewards for the University of California, acting to govern the University as a public trust in fulfillment of its educational, research, and public service missions in the best interests of the people of California. (University of California Board of Regents, n.d.)

Policies of the board of regents explicitly require the University of California to nurture and maintain diversity (University of California, UCOP Office of Diversity and Engagement, n.d.). Here we offer three examples of culturally sustaining governance.

Regents Policy 4400: Policy on University of California Diversity Statement

The UC Diversity Statement demonstrates how a board can act as a *catalyst* for equity. While the board did not initiate the statement, it did offer its approval and took the necessary actions to have the statement officially accepted. First adopted

in 2007 and then amended in 2010 by the Assembly of the Academic Senate and the president of the University of California, a segment of the statement reads:

The State of California has a compelling interest in making sure that people from all backgrounds perceive that access to the University is possible for talented students, staff, and faculty from all groups. The knowledge that the University of California is open to qualified students from all groups, and thus serves all parts of the community equitably, helps sustain the social fabric of the State. (University of California Board of Regents, 2010, para. 2)

The UC Board of Regents is committed to the pursuit of equitable outcomes and views equity as integral to the success of the institution and the state. The board here gives more than simply lip service to a focus on equity. Further, the statement puts forth that

diversity—a defining feature of California's past, present, and future—refers to the variety of personal experiences, values, and worldviews that arise from differences of culture and circumstance. Such differences include race, ethnicity, gender, age, religion, language, abilities/disabilities, sexual orientation, gender identity, socioeconomic status, and geographic region, and more.

In this context, the Board of Regents exhibits its sociopolitical consciousness through a description of diversity that is inclusive of various types of difference and that prioritizes the import of different perspectives to the future of higher education in California.

What makes this particular statement stand out is not only the rhetoric praising diversity and inclusion or the platitudes that everyone should be included, but also the recognition of the structural and systemic challenges imposed on marginalized groups within higher education: “The University particularly acknowledges the acute need to remove barriers to the recruitment, retention, and advancement of talented students, faculty, and staff from historically excluded populations who are currently underrepresented” (n.d.). Without this consciousness of the barriers at play in the academy, progress toward equity cannot be made. Boards committed to fostering cultural change at all levels must recognize that change is inadequate in the absence of actual action to address the exclusionary culture and history of higher education institutions. Boards must reflect on where they came from—a history rooted in a higher education system made by and for elite white males (Graham, 1978)—and how to move from where they are in order to truly get at the crux of what will allow forward movement for institutions in terms of equity.

This policy hits on all four tenets of CSG. The three-year span between the proposal and adoption of the policy demonstrates equity knowledge that recognizes

equity as an ongoing push, not a one-time issue. The diversity statement demonstrates decision-making that facilitates equitable opportunities for all stakeholders, intentionality with a focus on issues affecting minoritized populations, and active board participation to (re)examine educational practices and policies.

Regents Working Group on Principles Against Intolerance

In response to expressed concern over the rise of incidents reflecting anti-Semitism on UC campuses, the UC Board of Regents created a workgroup. The working group is an example of the board serving as an *initiator* of equity work in governance. The working group puts forth that

in confronting statements reflecting bias, prejudice or intolerance, the University is uniquely situated to respond with more speech—to educate members of our community about the different histories and perspectives from which we approach important issues. As a public university, First Amendment principles and academic freedom principles must be paramount in guiding the University’s response to instances of bias, prejudice and intolerance and its efforts to create and maintain an equal campus learning environment for all. (University of California Board of Regents, Intolerance Working Group, 2016, pp. 6–7)

The working group met under the premise that “lack of exposure to groups from different communities can lead to insufficient understanding and appreciation of the viewpoints and sensitivities of others” (p. 5).

The action to form and then continue to support this workgroup that then created this statement of intolerance was the result of collaborative effort. During the 2014–2015 academic year, the regents responded to correspondence from a variety of stakeholders throughout the university concerned with the increase in incidents reflecting anti-Semitism on UC campuses. The desire to collaborate also prompted the regents to host a day-long public forum, in October 2015, to receive additional public input and invite renowned scholars in the areas of discrimination and anti-Semitism to speak with the regents in December 2015. The regents recognize that the quest for equity is an ongoing push when they write, “Human history encompasses many periods in which biased, stereotypical or prejudiced discourse, left unchallenged and uncontested, has led to enormous tragedy” ([University of California Board of Regents, Intolerance Working Group, 2016](#), p. 8).

Equitable opportunities and outcomes are valued in this statement: The University therefore strives to foster an environment in which all are included, all are given an equal opportunity to learn and explore, in which differences as well as commonalities are celebrated, and in which dissenting viewpoints are not only tolerated but encouraged. (p. 8)

The motivation for equity, in this case, was impelled by acts of intolerance on campus and the subsequent sentiment of fear for safety. The statement is aligned with the tenet of sociopolitical consciousness because while the board recognized that people would still act in the manner they chose, the regents understood the import and impact of their (in)actions in relation to equity. The working group

concluded that the time is particularly apt for the Regents to reaffirm the special role and mission of the University of California and our aspirations for all members of the University of California community. Punishing expressions of prejudice and intolerance will not prevent such expressions or change the minds of speakers. (p. 6)

UC Board of Regents Student Advisory Position

The board can also be an *inhibitor* of equity work. The student advisory position on the Board of Regents was on the chopping block fewer than three years after its inception. The position was created to provide the board with student input on university issues, including sexual assault policy, tuition, and basic needs. The student adviser position, elected by the students, was established in January 2016, and the board voted to end the position in January 2019. The elimination of this position means that the student voice on the highest decision-making board in the UC system remains limited, with two student representatives—the student regent and the student regent designate—but with only one vote.

As opposed to a board decision that affects those not on the board, this sunrise and sunset of the student advisory position demonstrates how behaviors and decision-making within the board can have implications for the board itself. The position had the potential to influence board dynamics, the topics covered in meetings, and demographic representation. Instead of increasing the voices of marginalized students on the board, this reversal maintained the status quo.

Low African American Student Enrollment

Finally, we cover an example of the board as a *barrier* to equity work. Black students continue to be underrepresented and poorly resourced in the University of California—a legacy of the passage of Proposition 209. In 1995, Regent Ward Connerly led the UC Board of Regents in a 14–10 vote to end the use of race and ethnicity in admissions. He eventually successfully campaigned for Proposition 209, a statewide initiative banning preferences by all state agencies in admissions and hiring. In 1999, 3% of students at UC were African American, and in 2016 this rose to only 4% (Gordon, 2016; Campaign for College Opportunity, 2018). In 2016 Regent Eddie Island said that the situation represented by the data on Black students at UC “is a sad moment” and that “there are impediments to the enrollment

of African-Americans, and they have not been addressed” (Gordon, 2016). In the 20 years between 1999 and 2019, the UC Board of Regents made a great number of strides toward equity but ignored the underrepresentation of Black students on its campuses.

The disparity in representation of Black students enrolled at UC is an example of where the board had a direct impact on outcomes—the inequities that have existed since the passage of Proposition 209 are not the reason for board action as in aforementioned examples, but rather were a consequence of board action. To be in accordance with culturally sustaining governance, the UC Board of Regents would need to use equity-minded decision-making to set and monitor institutional goals and progress. The board would need to continue to push for data disaggregated across different demographic and stakeholder experiences, closely look at intersectionality within that data, and take a meaningful interest in current challenges influencing different segments of the campus population. Moreover, the board would need to work with presidents, chief diversity officers, chief financial officers, human resources directors, and others to establish a working understanding of equity in the context of institutional mission, goals, and environment. The board’s attention to this issue would set the table for institutional awareness.

These are examples of board action affecting minoritized populations and represent decisions made in response to inequities. Each example indicates that the board knew what equity was, valued equity, was sociopolitically conscious, and was motivated to move the needle toward equity. Further, the board had an identified role in the transformational push for equity (see Table 1). The UC Board of Regents demonstrates decision-making that facilitates equitable opportunities for all stakeholders to achieve their full potential. The board also demonstrates how decision-making can be a challenge to the advancement of equity. Additionally, these efforts demonstrate how board members can be active participants in challenging injustice and oppression through heightened mechanisms of accountability and the (re)examination of educational practices, policies, and leadership.

Implications for Further Study

The title of our article is inspired by the phrase *culturally relevant pedagogy*, which Gloria Ladson-Billings has used in her seminal scholarship on successful Black students and educators of these Black students in order to offer a counter-narrative to the stories of the challenges and disappointment of this community that had dominated the literature. The term *culturally relevant pedagogy* has gone the scholarly equivalent of “viral” and is still widely used and cited today. Unfortunately, the same principles have not been rigorously examined or applied in higher education or in discussions of boards of trustees. Boards specifically, and the larger body of higher education in general,

can no longer superficially commit to vague concepts of diversity, multiculturalism, or equality in mission statements and recruiting materials while failing to do the difficult work of pursuing systemic transformation to create more inclusive environments so that racially diverse populations can thrive. (Museus, Ledesma, & Parker, 2015, p. 83)

Though commitments to equity, inclusion, diversity, and social justice have been articulated, without application at the highest level of university control, these are empty promises. Boards must continue to serve as boundary spanners between the institution and the broader society (Hendrickson et al., 2013). This paper is just a first look at the underlying structure of board work related to equity and the ways these examples might become useful for other trustees in higher education.

Above we have highlighted practices of culturally sustaining governance that can serve as a model for trustees in a variety of settings. Culturally sustaining governance is necessary but not sufficient for trustees to engage in decision-making geared toward maximizing opportunities for traditionally marginalized populations. Beyond these basic characteristics, board members must “develop a broader sociopolitical consciousness that allows them to critique the cultural norms, values, mores, and institutions that produce and maintain social inequities” (Ladson-Billings, 1995, p. 162). Meeting the reform aspirations of this literature requires shifts in campus cultures, and culture shifts in large organizations require meeting the reform aspirations of the calls for national equity. Shifts in campus cultures and climates in large organizations require (1) deliberate planning, prioritizing, and collaborative leadership and (2) identifying and modifying institutional infrastructures that impede the change process (Kezar & Lester, 2010). Ultimately, the goal is to use governing boards as the vehicle to significantly improve access, opportunities, experiences, and outcomes for all campus stakeholders—particularly groups underrepresented within the ranks of students, staff, faculty, administration, and boards.

We believe this work has implications for research and practice. We need additional research to build upon the theoretical frame described here. So much more needs to be learned about the potential for equity-centered decision-making practices of trustees. There need to be additional opportunities to examine board decision-making both from non-board members and board members. We are in dire need of the latter so that trustees can share their unique perspectives. Boards are an essential element of higher education, and their ability to make positive decisions (or not) greatly affects accountability, quality, and performance in higher education in both the immediate and long-term future. The above research represents the necessary but insufficient genesis of work to inform researchers and trustees who desire to improve campus governance and oversight in the future by highlighting how board members are guided by equity.

One noticeable omission of the board equity work outlined here is a focus on the board itself. While boards have established a commitment to diversifying student, faculty, and administrative pipelines, and an emphasis on inclusivity for all populations and on the benefit of and respect of equity and inclusion, there has been no commitment to and strategy for diversifying the composition of boards themselves. Take, for example, the UC Principles of Intolerance, where “the Regents call on University leaders actively to challenge anti-Semitism and other forms of discrimination when and wherever they emerge within the University community” ([University of California Board of Regents, Intolerance Working Group, 2016](#), p. 8) but never comment on what regents can and should do to take a stand. While supporting equity initiatives and calling out what faculty, staff, and administration can do, boards have historically hidden in plain sight, allowing them to galvanize change but not take accountability for it. Our call for culturally sustaining governance pushes for boards to do more.

Conclusion

Board members need to accept equity as an indispensable element of the fiduciary duties of care and obedience. They can do this well by making concerted efforts to be aware of the ways in which decisions affect not just policies and procedures, but people. Decisions at the level of board governance invariably hold implications for substantial groups, not just individuals, and impacts on minoritized groups should be considered at every stage to avoid unintended results. This study is only a first look at how equity at the level of the board can influence outcomes at institutions of higher education. Further research will need to delve more deeply into the historical and structural barriers to equity in higher education (e.g., racism, sexism, elitism, etc.) that are traditionally upheld by those in positions of power. This critical reflection is beyond the scope of this paper but is needed in order to move this area of scholarship forward.

Governance will continue to be integral to the study of postsecondary education, as citizens have a vested interest in the control of higher education ([Novak, 1996](#)). How scholars study the influence of trustees will inevitably impact the future direction of postsecondary education. Boards have yet to establish what role they can, should, or need to play in relation to equity. Today’s higher education climate necessitates that boards do more, and ultimately be more, than they have in the past. The idea that a group of unfamiliar faces is making decisions on behalf of the many will continue to pique public interest until knowledge of boards is more commonplace. Boards stand in the right position at this critical juncture to (re)establish institutional, ethical, and educational priorities. If the goal is to improve opportunities, equity, and inclusivity on campuses and in higher education at large, we should start to move toward culturally sustaining governance.

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