Ethical Leadership in the Community College

Bridging Theory and Daily Practice

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ANKER PUBLISHING COMPANY, INC.
Bolton, Massachusetts

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A Guide to Ethical Decision-Making by Presidents and Boards

Gary W. Davis

"I find that the three major administrative problems on a campus are sex for the students, athletics for the alumni and parking for the faculty."

In that whimsical statement, former University of California president Clark Kerr acknowledged that colleges represent more than one value system. When values within a college collide, presidents and boards often find themselves in the middle of the collision. Each college constituency expects the president and the board to sympathize with its point of view. Not realizing how conflicted a college can be, the general public expects presidents and trustees to be able to articulate what the college stands for. Faced with a variety of expectations, college presidents and boards need to know how to sort through diverse perspectives and issues in order to make sound ethical decisions.

This chapter provides a method for ethical decision-making by boards and presidents. The terms *ethics* and *morality* derive from roots meaning "common practice." Yet controversies swirling around colleges and universities in the 21st century make it clear that sometimes "common practices" are unacceptable. Although binge drinking and casual sexual relationships (sometimes between faculty and students) might be common in today's colleges, they are a matter of concern for many. Every fall brings news stories of students who die after drinking to excess. Even given the fact that

faculty-student liaisons have been known since the days of Plato's Academy, many condemn such relationships as abuse of a "power relationship. When colleges take large contributions from those who have operated or the edge of the law and socially accepted norms, the institutions expos themselves to criticism. Whenever those in higher education fail to provid career preparation or a reasonable chance of graduation to their students colleges are faulted for failing to meet their responsibility to students.

Ethical challenges are not reserved ~~for~~ college presidents. What shoul a board of trustees do if it suspects its president of falsifying enrollment reports? What is the board's responsibility for members who double dip or their board expense reports? How should a board balance the interests o alumni against the views of the general public during a controversy ove the college's Native American mascot? Each of these situations is real. Eac has occurred within the past three years. In such cases, the president an the board are usually left to deal with the ethical dilemma on their ow and without the help of reliable precedent or generally accepted standard of conduct.

The stakes are high. Shattered reputations create problems for organizations whose leaders exhibit unethical behavior. The 2004 Cone Corporate Citizenship Study, notes Jacklyn Boice (2005), shows that American do not tolerate organizations whose leaders act unethically. Ninety percen of Americans would consider switching their loyalty away from an organization whose leaders exhibit unethical or illegal behavior; 81% would speak out against the organization among family and friends; 75% would refuse to work for the organization; and 67% of the organization's employees would be "less than loyal" to the organization. The study reveals tha organizations are now evaluated in terms of a "triple bottom line" tha measures their performance financially and in terms of the organization' treatment of its environment and its contribution to society.

Many CEOs are investigated or fired for their financial failures. Many others lose their jobs because of "matters as modest as handling business expense accounts" (Browning, 2005, p. 56). Contrary to those who trivialize ethics by reverting to a simplistic "front page" or "sniff" test, distinguishing what is ethical is not always easy. Is it unethical for a professor to require students to buy her textbook? Should college presidents be reimbursed for travel that combines business with pleasure? Should the president limit his consulting income in order to be certain that the college is well led? To what degree should the president be an agent of social change when such activity takes a toll on private contributions to the college? What does the president owe the board that hired her?

Like their presidents, board members regularly face daunting ethical challenges. Is it ethical to raise tuition when the college reserves stand at record levels? Is it ethical for a college to pay its part-time instructors less than a living wage? Is it better to employ part-time faculty at a low salary or to deny students sections of courses they need to complete their studies? Should the college purchase expensive hybrid vehicles when to do so puts pressure on student tuition rates? Is it ethical for a college to convert a critical wetland for the location of a new, badly needed classroom building? Should the college spend money to redress the consequences of social evils like slavery that it had no role in creating? Is it wrong to hire a contractor who is related to a board member when that contractor is the only locally available source of the needed service? What does a board owe the person it hires as the college president?

The New Expeditions project of the Association of Community College Trustees and the American Association of Community Colleges found that unethical behavior was one of the top seven failures of college trustees:

> When the public perceives that a trustee is benefiting from a conflict of interest, governance and the college suffer. . . . Ethical conflicts will continue until boards adopt systematic measures to alert their members to ethical compromises in the making. Boards also need help exploring leadership and core values. Many trustees have never had an opportunity to explore ethical dilemmas and the techniques of ethical decision making. (Davis, 2000)

In order to help trustees and presidents lead ethically, I present in this chapter a series of ethical questions that boards and presidents can use. Many presidents and trustees will recognize the origin of the questions: They come from Rotary International's Four-Way Test and from the well-known Serenity Prayer. Because presidents and trustees will already be familiar with the questions, they will be able to remember and use them during the course of their deliberations.

1. Is this something that ought to be changed?

"To change"

Although Alcoholics Anonymous made the Serenity Prayer famous, it wa originally written by one of America's greatest 20th-century philosophers Reinhold Niebuhr. Raised in the small town of Lincoln, Illinois, Professo Niebuhr was a Lutheran pastor from Detroit when he was called to Unio Theological Seminary in New York to teach ethics. A renowned teache and lecturer, the bilingual Niebuhr published a series of weighty books an essays, and despite his German roots, he was instrumental in challengin Christian pacifism during the early years of World War II.

His longest-lasting contribution to American thought, however, wa his "Serenity Prayer," which most of us have heard in one form or anothe In the prayer, Niebuhr expresses the hope that he will be able to discern th things that ought to be changed; he asks for courage to take on the task o setting right the wrongs that can be corrected; moreover, he asks for the patience to accept the things that cannot be changed. Here is the first an most often-quoted part of the Serenity Prayer:

> God grant me the serenity
> to accept the things I cannot change;
> courage to change the things I can;
> and wisdom to know the difference.

The Serenity Prayer begins by asking for ethical sensitivity. Wha ought to be changed? Although some believe ethical decisions occur onl rarely in the work of a president or a board of trustees, the Serenity Praye suggests that every time a board or a president strives to improve a college ethical decisions are in play. Presidents and boards try to change a colleg because something good is missing and ought to be supplied or becaus something is wrong and needs to be eliminated. When boards try to increase the enrollment of underrepresented groups, they are trying to right wrong. When presidents try to discourage irresponsible drinking by th college's students, they are trying to make things better. At their very root both efforts result from ethical decision-making.

When boards and presidents ask, "What ought to be changed?" the are not denying the essential goodness of the college. Rather, they are striving for excellence. Not satisfied with what Garrison Keillor has called th "pretty good," boards and presidents want the college to be continuous improving. In so doing, they are responding to the first question suggested by the Serenity Prayer: "What ought to be changed?"

2. Is this something we can change?

"To change the things I can"

Although there is a school of ethical thinking that disavows the importance of consequences in ethical decision-making, few trustees and presidents have the luxury of ignoring results. They simply do not have time to tilt at windmills. Instead, they must focus their energy on projects that have some realistic chance of success. College presidents and boards are judged by the results they produce. Thus, one of the first questions that presidents and trustees must ask themselves about an ethical issue is, "Can we do something about this?"

Some challenges are beyond the grasp of presidents and boards. One is the friction that free academic inquiry produces. Parents of college freshmen often ask presidents, "Why are you challenging my child's values, the values that we taught our children when they were small?" In the fourth century B.C.E., Socrates was put to death for "corrupting the youth." Of course, Socrates said he was only teaching the youth to think for themselves, and academicians have used the same defense ever since. Unless they wish to reverse the academy's long-standing tradition of academic freedom, presidents and trustees must admit that they cannot remove the pain that comes with intellectual growth. Just as King Canute could not turn back the tide in the English legend, neither can a board of trustees or a college president guarantee that students will be returned to their families with minds and spirits unchanged.

On the other hand, some problems can be solved. Presidents and trustees do have many opportunities to recognize and rectify problematic situations. If abuses are occurring in the athletic department of a college, the president can require the athletic director to correct the abuses. As the Myles Brand/Bobby Knight conflict at Indiana University showed, correcting abuses is not always easy on the president or the board of trustees. Sometimes a price must be paid. So, those who decide to act in order to make the college a better place must ask themselves a second question. In order to find what needs to be changed in the college, trustees would be well advised to focus on the results that the institution is producing. Is there any evidence that the students are learning? How has the college improved their lives? In what ways is the community better off because o what the students have learned? When feedback to the board reveals problems within the college, the board can ask the president to address the problems and report back to the board. When the president requires additional resources to rectify the situation, the board is obligated to find those resources. As long as the college has the capacity to right its wrongs, the board and the president have an ethical obligation to try.

3. Do I have the courage to do the right thing?

"Courage to change the things I can"

Some believe that in the end, good actions are always rewarded. The evidence for such a position, however, is lacking. Socrates, Jesus, Abraham Lincoln, and Martin Luther King all paid with their lives. All were tested in their final hours, and all passed the test because they had developed and measured their courage before it was required of them. The time to ask about one's own level of courage is well before the courage is required. That is why Marine Corps infantry training is so rigorous. Marines are taught that much will be required of them—more than many recruits first thought they had the ability to give. But one need not be a Marine in order to understand the need for self-understanding. In his best-selling series of books, *What Color Is Your Parachute?*, Richard Bolles (2006) advises people to figure out who they are now instead of waiting until times of crisis. Once our courage quotient is understood and acknowledged, we will be prepared to do the right thing, even though standing for what is right may require serious sacrifices.

Before the fat is in the fire, each board and president should take some time for introspection. What does a person value, and what does he or she believe in? For what values and causes would a person be willing to sacrifice much of what he or she has? Now is the time to review the courageous acts of some great predecessors. Some are embellished with humor and the benefit of substantial reflection. For example, in recounting his stand on behalf of free speech (and his subsequent 1967 firing by then-governor Ronald Reagan), former University of California president Clark Kerr said that he ended his career in the UC system the way he started it: "fired with enthusiasm." In his latter years, Kerr coauthored *The Guardians* (1989), a volume on the importance of courageous trustees that is still a useful reference for community college presidents and trustees. With his coauthor

Marian Gade, Kerr also published a study of character in American college presidents: *The Many Lives of Academic Presidents: Time, Place, and Character* (1986).

4. Can I find a way to live with what cannot be changed?

"To accept the things I cannot change"

As many Europeans under Nazi occupation during World War II discovered, sometimes life demands more than an ounce of stoicism. When a bad situation cannot be changed, those who must endure it can control their responses to it. As a member of the French underground, Jean-Paul Sartre wrote and produced a modern version of Sophocles's *Antigone* in order to remind the French that everyone knew the German occupation was unjust. When a morally troubling situation exists and we are powerless to change it, we can at the very least acknowledge the problems it creates for us. In so doing, we nurture and sustain our own values. By resisting the urge to lash out at a situation that is clearly beyond our capacity to alter, we preserve our resources to fight another day. Having what Neibuhr calls "the wisdom to know the difference" between situations we can change and those we cannot makes all the difference in the long run.

5. What's the truth?

"Is it the truth?"—from the Four-Way Test

Under the influence of advertising, today's leaders have developed a disturbing tendency to ignore the truth. Contemporary society seems to be driven by the notion that as long as people believe in something or somebody, the question of truthfulness is secondary, if not irrelevant. There is no doubt that people often act on their beliefs even when they have little supporting evidence for their convictions. Convictions do not require inquiry into truth. The American philosopher William James even argued that truth is what works, and those who accept James's arguments believe that the search for truth should take a backseat to experimentation. Yet scientists know that well-conceived experiments are those that test a hypothesis that is supported by what scientists already know. Scientific knowledge builds on previous discoveries, and those discoveries are supported by evidence. In science, truth counts.

Those who ignore the importance of truth run the risk of creating a house of cards that can collapse at any moment, to the great peril of all

those who dwell within. The Third Reich was an example of a belief system that was founded without regard to truth. For the Nazi theorists who hijacked science, the purity of one's beliefs trumped every other consideration. For a while the system worked, and European nations fell one by one to the fantasy-driven Nazi leadership. Yet, in the end, the Nazi beliefs proved false and the system imploded.

Everyone who has experienced the dawning of truth knows how irritating its arrival can be. The truth often upsets previous beliefs. It throws leaders off balance and upends conventional wisdom. For all those reasons, there is a human tendency to ignore or hide truth when it becomes inconvenient. Herbert Taylor, the author of the Rotarian "Four-Way Test," knew how discomforting truth could be when his cookware advertising department put before him a campaign that proclaimed his aluminum pots and pans "the greatest cookware in the world." Taylor knew that the claim was false, and he rejected the advertising campaign, even though the rejection put his position in the company in jeopardy. Taylor knew that eventually the truth would come out and that any gain obtained by temporarily disguising the truth would ultimately backfire. He knew that his company would gain more by attending to the truth than by bending it.

College presidents and boards face the same challenge. When an institution's vaunted program comes up short, college leaders are inclined to hide the bad news. Colleges sometimes find that their placement rates are disappointing or that their transfer students have not succeeded in their new institutions. Because many college board meetings are required to be held in public, most presidents and boards are inclined not to put instances of their institution's failures on the board's agenda. As a result, board meetings are dominated by "happy talk" in hopes that the public will be persuaded of the college's value to society. The problem with positive spin, of course, is that ultimately the truth will come out, and then the leaders who failed to recognize and share it will be seen as frauds. Presidents and trustees must be able to tell the truth even when it hurts.

6. What decisions are fair to all concerned?

"Is it fair to all concerned?"—from the Four-Way Test

The second Rotarian test measures the fairness of decisions to those who have a stake in the outcome. The first challenge here is to be able to identify all the stakeholders. It is a fact that very often one or more of those concerned are overlooked. The tendency for most people is to consider only those who are directly involved at the moment the decision is made. The folly of such an analysis is easy to see. When two people decide to marry, each is involved in the decision and its outcome. But many others are involved as well. The parents and other family of the couple will be affected by their decision. Should they have children, the couple's offspring will be affected. On reflection, the range of people affected by the seemingly simple decision of two persons to marry is easy to see. But reflection is required.

When the value of a college program is measured, it is often measured against the cost of the tuition the student pays. Yet tuition covers only a fraction of the total operating budget of a public college. Most of the freight is paid by financial aid programs, college donors, and taxpayers. In evaluating programs, college leaders must consider more than the student who benefits directly; they must also consider the other parties who pay for the programs. Trustees ought to ask: "Do the program's results meet the expectations of the college's donors and others who have made the student's enrollment possible?"

The Four-Way Test asks whether those involved have been treated fairly. Fairness is achieved when arbitrary treatment is avoided and each receives his or her due. This does not mean everyone is treated fairly or that everyone receives the same benefit, but it does mean the rules for participation are worked out ahead of time and observed. It also means that each receives what is appropriate. There is no doubt that the primary recipients of a college's benefits are the students, but the students' families and future employers are owed some benefit as well. Does the college define a role for those who are not students, and are those other college participants informed of the role they can play? Is their right to play the role that is assigned to them protected by the college? Do all of the college's stakeholders receive their due? These are questions that boards and presidents ought to address regularly.

7. What decisions build goodwill and better friendships?

"Will it build goodwill and better friendships?"
—from the Four-Way Test

According to Doug Smith,

> Organizations are not just places where people have jobs. They are our neighborhoods, our communities. They are where we join with other people to make a difference for others and ourselves. If we think of them only as the places where we have jobs, we not only lose the opportunity for meaning, but we endanger the planet. (qtd. in Hammonds, 2004, p. 67)

Smith argues persuasively that while Americans' lives were once centered i a geographical place, today they are centered in our organizations and institutions: "It is in markets, organizations, and networks . . . that you spen your time, pursue your most pressing purposes, and find meaning in you life" (p. 67). With a sufficient degree of ethical know-how, an organizatio can build goodwill.

A story involving Four-Way Test author Herbert Taylor illustrates th point. After Taylor's company, Club Aluminum, awarded a printing contract, the lowest bidder came to Taylor and told him that he had miscalculated his bid by $500. He asked Taylor to increase the price that the Clu Aluminum Company would pay. Taylor knew that he could hold th printer to his bid, but he decided to cover the additional $500 cost. H said he decided to help the printer because it would be the fair thing to do Of course, it also built goodwill within the Chicago business community Taylor's selfless act, undertaken at some considerable risk to his own company, set a tone of mutual respect and concern among the companies o Chicago. In so doing, it increased the level of trust that companies had fo one another. Trust and goodwill then functioned as a lubricant in futur business dealings. When business officials trusted one another, they wer willing to go the extra mile in the expectation that a favor extended coul someday be returned. They were not disappointed.

8. What solutions are beneficial to all concerned?

"Will it be beneficial to all concerned?"—from the Four-Way Test

"People want [organizations] to conduct business in a way that benefit everyone concerned," asserts Jacklyn Boice (2005, p. 25). The fourth Rotarian test of ethical behavior asks, "Will it be beneficial to all concerned? The test seems simple enough, but in actual practice people frequentl overlook stakeholders. For example, decision-makers often forget the effect that the decision will have on those who might face similar dilemmas in the future. In other words, situations involve not only current stakeholders, but also those who might be affected by the precedent the decision establishes. Similarly, decisions sometimes affect those who preceded the current decision-makers. If previous generations of trustees sacrificed in order to establish the voters' confidence in the board's stewardship, a spendthrift decision by today's board dishonors the college's previous trustees, a group that might easily be overlooked in today's boardroom.

College presidents and trustees can create an ethical scorecard for themselves by asking eight questions. In their decision-making, they can check to see:

1. Is this something that ought to be changed?
2. Is this something we can affect?
3. Am I willing to pay the price for doing what is right?
4. Can I find a way to live with what cannot be changed?
5. Is it the truth?
6. Is it fair to all concerned?
7. Will it build goodwill and better friendships?
8. Will it be beneficial to all concerned?

If these questions are answered with care, trustees and presidents can proceed with the confidence that their decisions will pass the ethical test.

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The Four Way Test

1. Is it the truth?
2. Is it fair to all concerned?
3. Will it build goodwill and better friendships?
4. Will it be beneficial to all concerned?

Here are some cases that involve an ethical dilemma:

1. a professor whose tenure protects his job despite the fact that he's recently been convicted of a series of petty crimes. The board wants him fired; what is the president to do?

2. a board that has developed the habit of using personal email accounts and secret "unofficial" meetings to avoid Freedom of Information requests

3. a board member's use of the college horticulture department to landscape her implement business

4. a board member whose membership on the local hospital foundation board provides him access to information about potential donors that he shares with the college development director

5. a board member who divulges confidential information about an applicant for the college presidency claiming that such sharing is protected by the First Amendment and supported by the board's commitment to "transparency"

6. a board member who offers the college president a $100,000 donation in return for his daughter's admission to the college's very competitive registered nursing program

7. a board whose directives are routinely ignored by the college president

8. a trustee who often fails to attend board meetings

Can you think of another situation that presents the board or the president with a serious ethical dilemma?

Today's Discoveries

1.

2.

3.

The Serenity Prayer

God, grant me the serenity to accept the things I cannot change,
The courage to change the things I can,
And the wisdom to know the difference.