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This chapter offers a three-nation perspective on college governance, emphasizing the condition of autonomy embedded in governance arrangements.

Yanks, Canucks, and Aussies: Governance as Liberation

John S. Levin

Underlying the goals and actions of colleges and universities is the practice of governance. Theoretically, governance comprises both a system of regulations and the pattern of behaviors of those who make decisions about the institution's functioning. This pattern emanates from the foundational values that organize the institution. Yet governance in higher education is difficult to comprehend in the abstract or without observation of the practice itself. While customarily viewed as a system of formal and informal decision making, and a structure that reflects authority and hierarchy, governance also pertains to relationships both within an institution and between the institution and other entities, such as government, business, and the public (Marginson and Considine, 2000).

Governance is part of a historical and cultural process that both reflects and shapes institutional identity. Institutions are both agents and recipients of change, altering their social, cultural, and political contexts and being altered by these contexts. In the public sphere, government has primacy of authority for institutions. While governments have authority to change governance processes and structures in colleges, such changes do not emerge from thin air or within government, but from the negotiated order between government and its institutions and from the social, political, and economic context in which government operates in any given jurisdiction. The relationships between government and institution are one focus for the examination and understanding of governance. One outcome



of these relationships is the legislation that regulates and guides institutions. Such legislation exists within a particular context.

I offer an international perspective to demonstrate institutional contexts and the ways in which they shape governance in community colleges, as well as to explain governance as a dynamic and multilayered process. Though limited to three countries—the United States, Canada, and Australia—this perspective serves to exemplify alternate cultural, social, and political contexts for higher or postcompulsory education. On the one hand, the three countries and their citizens—Yanks, Canucks, and Aussies—share colonial roots and the English language. On the other hand, their postcolonial histories have diverged as a consequence of many factors, including geography, climate, immigration demographics, religion, and aboriginal and native peoples, among others (Barman, 1991; Lipset, 1989; MacIntyre, 2004). Furthermore, their colleges, institutes, and universities have taken on different characteristics, making the comparison of some institutional types problematic because of vast discrepancies among the countries' institutional structures and purposes. For example, the private research university of the United States is without precedent in Canada and almost negligible in Australia, with only two minor institutions so categorized. The university colleges of British Columbia in Canada—a hybrid of the open access community college and four-year public college—are not found in other countries.

Furthermore, the rapid changes taking place nationally and globally in postsecondary education create another comparative problem. Does the comparison look at institutions in the present, in the past, or both? For example, the university colleges of British Columbia were, prior to 1989, public or community colleges. As university colleges, they still retain much of their community college character, including those defining principles of a community college such as open access and a comprehensive curriculum (Dennison, 2000; Levin, 2001b, 2003). At the same time, they are arguably different institutional types in 2007 from what they were prior to 1989. The history of Technical and Further Education (TAFE) institutes in Australia reflects a pattern of continual reinvention and legal alterations (Anderson, 1998). Yet these institutes are the closest comparable institutions to community colleges in the United States and Canada. Although they emphasize vocational training, TAFE institutes possess community college features such as open access, a wide array of education and training programs, and student transfer (Goozee, 2001). Finally, the U.S. community college is not one homogenous entity, with colleges in some jurisdictions reflecting the traditional junior college image—preparation for transfer to a university—and others decidedly favoring a vocational, workforce development focus.

In this chapter I refer to the three countries' major postsecondary, nonuniversity sector as community colleges. However, I will also refer to them as they are separately known in their countries—community colleges in the United States, public colleges in Canada, and TAFE institutes in Aus-

tralia. Because of their differing institutions, I do not discuss them directly, but rather discuss them in terms of broader themes. These include the development of dual authority for governance and the development of institutional authority for governance.

The Jurisdictions

Within their respective nations, the institutions of the province of British Columbia in Canada and Australia are viewed as trendsetters, bellwethers, and the cultural chic of their nations. These jurisdictions are no exception. In California the state university system provides a comprehensive curriculum spectrum of courses as well as community college-oriented programs, and forms one segment of a three-tier system—the largest single higher education system in the world. In British Columbia the taxonomy is different: the secondary educational system that includes technical institutes and universities is referred to as colleges. In California's community colleges, after World War II (Gallagher, 1986), these institutions have expanded since the mid-1990s. They also offer developmental and vocational education and provide access to a broad spectrum of course offerings. In California students open access to nonuniversity education with a particular emphasis on vocational education and employment.

Participation Broadly Defined: Community Colleges in California

The California community college governance structure was established by Bill 1725 (1988), an omnibus bill that redefined community colleges by eroding the traditional governing faculty (White, 1998). The crisis in governance appears in section 70902 of the California Education Code, giving the governing board to establish procedures "to provide an opportunity to express their opinions on any matter on which these opinions are given every reasonable opportunity to participate effectively in district and academic senates to assume primary responsibility for decisions in the areas of curriculum and

tralia. Because of their differing institutional identities, I will not compare them directly, but rather discuss each separately by using three related themes. These include the development of participatory governance involving faculty in institutional decision making in the United States, the development of dual authority for governance in Canada, and the permutations of institutional authority for governance in Australia.

The Jurisdictions

Within their respective nations, the state of California in the United States, the province of British Columbia in Canada, and the state of Victoria in Australia are viewed as trendsetters, bellweather jurisdictions, and even the radical chic of their nations. These jurisdictions' higher education institutions are no exception. In California the sector known as the community college provides a comprehensive curriculum, open-access admissions to a broad spectrum of courses as well as competitive entry to specialized career-oriented programs, and forms one segment of a tripartite higher education system—the largest single higher education system in the United States. In British Columbia the taxonomy is increasingly complicated: the post-secondary educational system that excludes the province's four chartered universities is referred to as colleges and university-colleges. Similar to California's community colleges, after which they were modeled (Dennison and Gallagher, 1986), these institutions have provided baccalaureate degrees since the mid-1990s. They also offer comprehensive curriculum, including developmental and vocational education, and continue to provide open access to a broad spectrum of courses. In Victoria the TAFE institutes offer students open access to nonuniversity, tertiary education and training, with particular emphasis on vocational education and training geared toward employment.

Participation Broadly Defined: The Academic Senate in California

The California community college governance story begins with Assembly Bill 1725 (1988), an omnibus bill that reputedly changed California community colleges by eroding the authority of college administrators and elevating faculty (White, 1998). The critical language for faculty elevation in governance appears in section 70902, article 7, which compels the governing board to establish procedures "to ensure faculty, staff, and students the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right to participate effectively in district and college governance, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards."

Furthermore, the board of governors of the California community colleges was charged with developing policies and guidelines to strengthen the role of the academic senate in matters of academic and professional standards. This led to Title 5, section 53200–206, of the Education Code of California: “The governing board of a community college district shall adopt policies for the appropriate delegation of authority and responsibility to its college and district academic senate. Among other matters, said policies, at a minimum, shall provide that the governing board or its designees will consult collegially with the academic senate when adopting policies and procedures on academic and professional matters. This requirement to consult collegially shall not limit other rights and responsibilities of the academic senate which are specifically provided in statute or other regulations contained in this part.” In addition, article 2 of the California Code defines senate purview and authority. Academic and professional matters comprise the following policy development and implementation matters:

- Curriculum
- Degree and certificate requirements
- Grading policies
- Educational program development
- Standards or policies governing student preparation and success
- District and college governance structures, as related to faculty roles
- Faculty roles and involvement in accreditation processes, including self-study and annual reports
- Policies for faculty professional development activities
- Processes for program review
- Processes for institutional planning and budget development
- Other academic and professional matters as mutually agreed upon between the governing board and the academic senate

Arguably, it was not the requirement of faculty participation that constituted an enhanced role for faculty in the operations of community colleges, but rather detailed requirements for the operation, management, and actions of community colleges that must rely on a formal body of faculty (Livingston, 1998). Furthermore, the bilateral nature of governance in and for California’s community colleges—including individual institutions or districts and the state system as a whole—requires senate participation and de facto approval of policy on academic and professional matters (Academic Senate for California Community Colleges, 1996). Thus, while individual faculty have gained elevated status in community colleges through legal language that requires their participation in governance, a body—the faculty senate both at individual institutions and statewide—has primacy in governing board decisions on academic and professional matters.

On the Path to Bicameral Governance in British Columbia

By the time public or community colleges celebrated their third decade of existence, they were recognized by the provincial government but also positioned to influence public policy expanding opportunities for baccalaureate education (1995, 2001b, 2003). Furthermore, the influence of unionization and the strength of the union movement, with government investigations of access to align government planning with faculty interests (1995; Levin, 1994). By the middle of the 1990s, the baccalaureate degree-granting status, and all the authority to establish and run an education council or authority structure for individual colleges (1995; Levin, 2001a). Indeed, if board-only governance, then board and faculty authority over governance. Thus, public colleges in British Columbia through the education council and through other mechanisms such as collaboration with provincial government behaviors that affect institutional decisions.

Legislation for the education council provided for a 50 percent voting membership. Composition consists of twenty voting members, of which

Ten must be faculty members elected by the governing board
 Four must be students elected by the student body
 Two must be educational administrators
 Two must be support staff elected by the support staff

The president is a nonvoting member of the governing board.

Within institutions, the education council provides the council’s advice, then the board must seek advice from the education council. An education council must seek advice from the education council on educational policy for the following matters: goals, and objectives, strategies, and priorities. The advice of the educational council pertains to admissions, faculty qualification, and institutional development. The education council covers the gamut of educational and instructional matters.

In addition to advising the board, the education council monitors academic performance, including, for example,

On the Path to Bicameral Governance: The Academy in British Columbia

By the time public or community colleges in British Columbia had reached their third decade of existence, they were not only a system under the direction of the provincial government but also potential vehicles for government public policy expanding opportunities for baccalaureate degree attainment (Levin, 1995, 2001b, 2003). Furthermore, the influence of faculty through provincial unionization and the strength of the university transfer function, in tandem with government investigations of access to baccalaureate degrees, combined to align government planning with faculty ambitions (Dennison, 1992; Levin, 1995; Levin, 1994). By the middle of the 1990s, five colleges had achieved baccalaureate degree-granting status, and all the provincial colleges were legislated to establish and run an education council, a body that verged on a second authority structure for individual colleges (Government of British Columbia, 2000; Levin, 2001a). Indeed, if board-only authority is viewed as unicameral governance, then board and faculty authority can be viewed as bicameral governance. Thus, public colleges in British Columbia were jointly governed: formally through the education council and the governing board, and informally through other mechanisms such as collective bargaining agreements and provincial government behaviors that accorded faculty a place at the table for institutional decisions.

Legislation for the education council ensures that faculty members have a 50 percent voting membership. Composition of an education council consists of twenty voting members, of which

- Ten must be faculty members elected by the faculty members
- Four must be students elected by the students
- Two must be educational administrators appointed by the president
- Two must be support staff elected by the support staff

The president is a nonvoting member of the education council.

Within institutions, the education council serves as the sole formal advisor of the governing board on educational matters. Should the board not take the council's advice, then the board must offer a justification to the council for the board's decision. An education council must advise the board, and the board must seek advice from the education council, on the development of educational policy for the following matters: mission statement, educational goals, and objectives, strategies, and priorities of the institution. Furthermore, the advice of the educational council pertains to all curricula and policies related to admissions, faculty qualifications, and the like. The council's input covers the gamut of educational and instructional behaviors of a college.

In addition to advising the board, the council has powers over student academic performance, including, for example, policies for evaluation and

student appeals. Thus, on student academic matters the council is the pre-eminent authority. Finally, joint approval from the council and the board is required for such actions as determining the status of courses and programs from other institutions and from one part of the institution compared to another part (in the case of establishing equivalency). This authority is enabled through the provincial government minister, and any decisions that cannot be reached jointly are referred to the minister.

In short, the role of the education council is comprehensive in educational matters. In the authority and approval structure, the council has been established to share joint authority with the governing board on several matters and to have primacy in advising the board on those educational matters where the education council does not have joint authority.

The maintenance of this joint authority contributed not only to workers' militancy but also to governments acceding to union demands (Barman, 1991). Additionally, specific government commissions have reinforced the bicameral ethos (Plant, 2007). For example, while the latest commission recommended that colleges in British Columbia have their baccalaureate degree-granting status rescinded, the commission has been silent on the bicameral nature of governance in those colleges. Silence in this case reflects acceptance of the practice. Even with neoliberal orientations, provincial governments since the late 1980s in British Columbia have clung to social democratic sentiments, couching their economic and political goals in language that engenders social cohesion and equality (Province of British Columbia Ministry of Education Skills and Training, 1996). Thus, governance of British Columbia's colleges is consistent with principles of equity, and faculty have an equal if not a dominant role in the functioning of colleges.

Released from the State: Institutional Detachment in Victoria and South Australia

Whereas self-governing institutions are viewed as both necessary and part of the progressive evolution of TAFE institutes in Victoria (Thomas, 2000), self-governance became soundly criticized as corporatization in South Australian TAFEs and ultimately ended in favor of a unified state system of networked institutions (Kirby, Ryan, and Carter, 2002). While Victoria favored autonomy, particularly from government, South Australia favored the government-public service arrangement. For South Australia, institutional detachment from government led to deteriorating performance and negative outcomes of TAFE (Kirby, Ryan, and Carter, 2002); for Victoria, TAFE autonomy has been praised (TAFE Directors of Australia, 2007; Thomas, 2000).

Australia's TAFEs—Technical and Further Education institutes—occupy a rather complex position in education in Australia. Although the national policy framework for vocational education and training is jointly negotiated and managed by the national government and state and territory governments, the states and territories have legal and financial responsi-

bility for TAFE institutes. As the along with a national policy agen education, the responsibilities fo upon the states and territories (between the national government are particularly evident in the dev have taken hold globally, nationa institutions toward economic ma social needs (Anderson, 2006; Ma ment formal ties, particularly in t operations, points toward liberaliz to economic competition among t policies, and greater accountability from the state can be viewed as fre also be seen as a struggle for insti TAFEs gained autonomy in institut already had such autonomy, gave omy led to disappointing outcome resource management (Kirby, Ryan omy was only partial, as the TAFE: for operations, but nonetheless self- ibility and reputed responsiveness t

By law, Victoria's TAFEs are le their operations. Their governing have legislative authority to oversee ing oversight for courses and progr- sible for the performance of TAFE o government, and 50 percent of cou- ernment minister. Councils appoint may delegate powers to the director length distance from government an leges, but it does not detach these i the possibility of conflicts or tension

After a decade of corporate stat social institutions and as businesse tions, but the emphasis was on growth, and national competitiveness, TAFEs may have ignored social role, which includes promoting social cation and equity programs and supp affected by structural economic and in addressing government economic to address social policy as well.

Yet the balancing acts between and social policy and between auton

bility for TAFE institutes. As the national preeminence of TAFE expands along with a national policy agenda for skills development and vocational education, the responsibilities for meeting national policy objectives fall upon the states and territories (Goozee, 2001). The historical tensions between the national government and the state or territorial governments are particularly evident in the development of TAFE. As neoliberal policies have taken hold globally, national pressures for global competition steer institutions toward economic markets, often at the expense of local and social needs (Anderson, 2006; Marginson, 1993). The loosening of government formal ties, particularly in the bureaucratic control of decisions and operations, points toward liberalizing practices of the state, but it also leads to economic competition among the players, neglect of government social policies, and greater accountability of public institutions. While autonomy from the state can be viewed as freedom from control, such autonomy can also be seen as a struggle for institutional survival. Thus, while Victoria's TAFEs gained autonomy in institutional governance, South Australia, which already had such autonomy, gave it up. For South Australia, TAFE autonomy led to disappointing outcomes for communities and to dysfunctional resource management (Kirby, Ryan, and Carter, 2002). For Victoria, autonomy was only partial, as the TAFEs depended primarily on public finances for operations, but nonetheless self-governance permitted institutional flexibility and reputed responsiveness to both local communities and industries.

By law, Victoria's TAFEs are legally autonomous from government in their operations. Their governing body—councils—are incorporated and have legislative authority to oversee and manage the college directly, including oversight for courses and programs. Legislatively, the council is responsible for the performance of TAFE colleges. Yet they are accountable to the government, and 50 percent of council members are appointed by the government minister. Councils appoint a director as chief executive officer and may delegate powers to the director. Such a structure permits at least arm's-length distance from government and considerable autonomy for TAFE colleges, but it does not detach these institutions from government and raises the possibility of conflicts or tensions over institutional purposes.

After a decade of corporate status, Victoria's TAFEs were judged as both social institutions and as businesses with strong entrepreneurial orientations, but the emphasis was on economic development, employment growth, and national competitiveness (Noonan, 2002). In such an orientation, TAFEs may have ignored social policy issues and neglected their social role, which includes promoting social cohesion through second-chance education and equity programs and supporting local and regional communities affected by structural economic and technological change. In other words, in addressing government economic policy, these institutions may struggle to address social policy as well.

Yet the balancing acts between government instruments of economic and social policy and between autonomous institution and handmaiden of

the state are evident. The specifications for Victoria TAFEs on the state level apply to TAFEs nationally as well. "On the one hand, government expects TAFE institutes to provide standardized public education to Victorian citizens and industry. On the other hand, it expects them to be flexible to the needs of their local communities and to be commercially competitive—that is, to be more like private businesses" (Thomas, 2000). Clearly, TAFE is an instrument of the state, whether it has detached itself from government to become a corporate, self-governing body or not.

College Governance and the State

Governments alone are not the sole arbiters of community college governance; in some U.S. jurisdictions, governments accede a substantial portion of their authority either to institutions or to coordinating or governing bodies. When this devolution of authority occurs in a state with no unionized institutions, then considerable authority resides at the individual institutional level, in the hands of boards and presidents. The state of Arizona is a salient, if not an extreme, example, where the absence of both state government oversight and a weak or recently disestablished state governing board and a nonunionized faculty workforce together correspond with individual institutions' functioning under the directives of the governing board and the president of the college. This condition is not unlike that in the state of Victoria, Australia, where legal authority has devolved from government to institutions, but there government oversight is maintained. Similarly, in British Columbia, Canada, government oversight is entrenched in legislation, but considerable authority has devolved to institutions. Unlike public universities in these three countries, community colleges in the United States, Canada, and Australia are ultimately responsible to the state, and autonomy is not a formal condition of their legal existence. The state may alter conditions of institutional operations and institutional life either by legislation or by retracting delegated authority. Thus, governance of community colleges tends to operate within a political framework, including the negotiated order between government and its institutions and the social, political, and economic context within which government operates in any given jurisdiction. In California we see the development of faculty senate prominence, not institutional prominence, in governing both individual colleges and the state's community college system. In British Columbia, we see the increasing influence of faculty in the governance of their own individual institutions. In Victoria, Australia, we see the development of institutional autonomy (and in South Australia, the retraction of autonomy) and the prominence of councils or governing boards and directors or chief executive officers.

From this international perspective, we can see that governance develops as a form of liberation for colleges and their players. Such liberation may be in the form of separation from control by traditional structures. The California community college and the state's community college system have

been revised to transfer authority structures of college administration, governing board, and the state system. Columbia community college has bicameral governance, with faculty in the college's administration. The Victoria rate status, loosening itself from responding much more to business. Evidently, the negotiated order or their players—in the form of faculty in British Columbia, and power relative to the state. In spite of remaining arms of the state, and ultimately

The three patterns of development mirror to some extent the historical three specific states or provinces perceived as a highly regulated state protected against state control, as in higher education institutions that and local authority for community consistent with Canadian federalism responsible for its educational province's colleges (Dennison and by the University of British Columbia and financing on the one hand and educators on the other hand, including unit and administrator and board in Australia, Victoria is managed by the over universities at the federal level.

The Larger Perspective: Local Implications

All three systems developed in the context and the nation-specific differences for systems of governance in part especially evident in the distribution national and state or provincial level community colleges, Canada's public tertiary education providers tend to provincial government policy and a responsive, to their local community higher education.

All three systems emerged in California, heralded in the Master Plan

been revised to transfer authority to faculty senates from the traditional structures of college administration, college governing boards, the state governing board, and the state system chief executive officer. The British Columbia community college has evolved to a condition approximating bicameral governance, with faculty gaining influence at the expense of the college's administration. The Victoria college, or TAFE, has achieved corporate status, loosening itself from the dictates of the state government and responding much more to business, industry, and local community pressures. Evidently, the negotiated order has shifted so that community colleges or their players—in the form of governing boards or councils in Australia, faculty in British Columbia, and faculty senates in California—have gained power relative to the state. In spite of this apparent liberation, these colleges remain arms of the state, and ultimate authority resides with the state.

The three patterns of development of governance in these jurisdictions mirror to some extent the historical contexts of the three countries and the three specific states or provinces within these countries. Though it is perceived as a highly regulated state, individual rights in California are protected against state control, as in all U.S. states. Such an ethos extends to higher education institutions that prize autonomy for public universities and local authority for community colleges. British Columbia, while consistent with Canadian federalism, has a strong provincial government responsible for its educational institutions. Yet the evolution of the province's colleges (Dennison and Gallagher, 1986; Levin, 1995)—initiated by the University of British Columbia—suggests strong provincial direction and financing on the one hand and an emerging influence of professional educators on the other hand, including the provincewide faculty bargaining unit and administrator and board associations. Like the other states in Australia, Victoria is managed by the government, with government oversight over universities at the federal level and over TAFE at the state level.

The Larger Perspective: Local Governance and Global Implications

All three systems developed in the context of federal systems of government, and the nation-specific differences have shaped the institutional framework for systems of governance in particular ways in each jurisdiction. This is especially evident in the distribution of powers and responsibilities between national and state or provincial levels and agencies of government for U.S. community colleges, Canada's public colleges, and Australia's TAFEs. These tertiary education providers tend to be viewed as agents of state-territory-provincial government policy and are located closer, and are ostensibly more responsive, to their local communities and economies than other sectors of higher education.

All three systems emerged in the 1960s and early 1970s: in California, heralded in the Master Plan; in British Columbia, initiated by the

MacDonald Commission; and in Victoria, identified in the national Kangan Report. As such, they would all appear to reflect a global trend (in western democracies) toward massification of tertiary or postsecondary education. Specifically, they can be seen as political accommodations to relieve the mounting pressure on state and provincial finances for higher education in an era of increasing enrollments in secondary schools and rising credentialism in the labor market, leading in turn to rapidly growing demand for access to advanced education and training. As such, they are also arguably early manifestations of nation states' responses to emerging forces of globalization and have since become central tools of the nation state. While Yanks, Canucks, and Aussies have their special characteristics in institutional governance, they are both reactors to government structures in their efforts to gain autonomy or influence at the local level and agents of government policy in the development of a workforce in the context of global competition.

Implications for Practitioners

The role of government in community college governance cannot be underestimated: state, provincial, and territorial governments are the formal creators of public colleges and the bodies that can alter governance arrangements. Nonetheless, local contexts are not to be overlooked. Interpretations of legislation and government policy give rise to particular institutional behaviors. In California interpretations by numerous college faculty and administrators suggested that institutional governance was "shared" or jointly carried out by faculty and administrators (White, 1998). Governance in California community colleges was viewed as shared governance, even though Assembly Bill 1725 never used the word *shared*, indicating instead that faculty were participants in governance (Levin, 2000).

From an international perspective, it is evident that colleges and college members seek autonomy, and the entity they seek autonomy from is government. At a minimum, presidents and boards want control over their institutions, whereas faculty seek authority in academic and faculty matters. Once government has granted that authority to these parties, they must work out or negotiate a suitable and functional arrangement. It is in this relationship that tensions seem most heightened and the parties pressed to perform at optimal levels. At times they may long for the intervention of government or hark back to the bucolic days when they could fault government for their troubles.

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Forces inside and outside changing the context for g and different approaches t

Governance

Richard L. Alfrey

In a chapter titled "Shared Governance in California," offered the following observations:

To the extent that the experience seems clear, community colleges must meet the demands of the marketplace. They require aggregation of resources to maintain or increase their positions that must be faced by community colleges. The questions that must be faced by community college administrators are: To what extent will any of the changes of postsecondary institutions affect community colleges? Will decision makers anticipate and act to ensure that community colleges continue in their present form or will they be reorganized and delivered new services? How will community colleges work with other sectors of education as we enter a period of austerity? [p. 200]

In retrospect, this observation was clearly conceived. A baseball scorecard would mark the idea that student enrollment is on the increase, and market competition is on the increase, and market conditions are off the mark. The notion was not to be selectively integrated with other sectors of education, but to be held accountable and fiscally restrained.

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