

**In Defense of Higher Education: A Brief Response to  
Certain Political Attacks against Public Universities**

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People say that, to start a speech and put your audience at ease, you should always tell a joke. Well, as you heard Provost Sternberg say, I am by profession a lawyer. And I'm proud to be a lawyer. But some people – for reasons completely inexplicable to me – seem to think otherwise. Hence we have an entire class of quips called “lawyer jokes.” But I'm not going to tell one, because there is an old saying among lawyers that lawyers shouldn't tell lawyer jokes. Other lawyers don't find them funny, and non-lawyers don't know they are jokes.

You know, like many of you, I am not a graduate of

Oklahoma State University. In fact, I may be the first member of our Board of Regents who did not attend one of our institutions. But that doesn't keep me from loving them. I have seen what OSU does, from afar and up close. And it's the work of you and your colleagues that makes OSU an excellent institution that is growing better by the day.

I come from an academic family, and grew up in the Duke University community, within a mile of the campus. My father was an academic, who served in leadership positions most of his career. My sister is a professor of mass communications at the University of Georgia.

Perhaps that family background helps explain my great interest in the academic mission of our institutions of higher education. I have served on the board of one small, private, liberal arts college – Eureka College, in central Illinois – and have been a member of the board of trustees of the foundation of

the University of Central Oklahoma. Moreover, I am now in my 25<sup>th</sup> year as an adjunct professor of law at Oklahoma City University.

With my family and personal background, it would be hard not to believe in the notion of shared governance. I know the hard work you and your colleagues put in to fulfill OSU's mission. Whether one considers the teaching, the research, the writing, the mentoring, the committee work, or any of the numerous other things professors do, it is obvious that any contemporary institution of higher education is built on the work of the professoriate.

I also know from my own tenure as a professor of law that many have little idea about their own institution's governing board. For example, until relatively recently, I had little knowledge of OCU's board structure, much less who were the members, how many members there were, and so forth. Having

served on both sides of that divide, I wanted to talk with you about OSU's governing board, the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, and some of the issues confronting those of us involved in higher education.

First – and I am asked this question a lot – how does one become a Regent? What does it take to be a regent? My short answer – it helps to know a Governor.

Our Board of Regents is a constitutional board, composed of nine members. Eight are appointed by the Governor to staggered eight-year terms, with the advice and consent of the Oklahoma State Senate. The Governor also appoints the President of the State Board of Agriculture, and that person serves *ex officio* on the Board, but his or her term is coterminous with that of the Governor.

According to our state Constitution, half of the board shall be farmers, a requirement that hearkens to our agricultural roots.

It is open to debate what that requirement means. Ultimately, the Governor and the Senate get to make that determination each year with each new appointment.

Now, you might think that with a setup like this – appointments are made by politicians – the board would consist primarily of political hacks and cronies. Certainly that would be possible. But in practice, that has not been the case. For example, when Governor Henry, a Democrat, had completed his eight years in office, and thus had appointed every member to the board, half were Republicans. And when Governor Fallin announced her first two appointments, one was a Republican, the other a Democrat.

Our Board is a governing board. The people of the State of Oklahoma have entrusted our Board with full power to govern OSU. We are the owners of the institution. Of course, we then cede the vast majority of our authority to the administrators and

professors of OSU. Nevertheless, the Board of Regents retains title, as it were, to Oklahoma State University, and with it the ultimate authority to set policy for Oklahoma State University.

Many think that regents are simply a bunch of fat cat boosters who like to get good seats at football teams. Well, I can tell you that, at least as concerns our Board, nothing could be further from the truth.

The members of our Board all work hard as regents. It does not have to be this way, and, in fact, it is not necessarily that way on other boards of regents. The ethos of our Board, however, is that each member will work hard. And in fact, each one does so. I would estimate that, on average, each member puts in at least 15-20 hours per week on Board of Regents matters, and some put in even greater amounts of time.

This is all done on a volunteer basis. The members of the Board of Regents are all highly successful people from a variety

of fields of endeavor, and all volunteer their time, and a lot of time at that, for the betterment of our various institutions.

Our Board governs not just the Stillwater campus, but all OSU facilities and campuses, including OSU-OKC, OSU in Tulsa (including the Center for Health Sciences) and OSU Institute of Technology in Okmulgee. We are also the governing board for Langston University (including its two urban campuses), Oklahoma Panhandle State University, Northeastern Oklahoma A&M College and Connors State College. Members of our board are called upon to serve in other capacities, as well, including on the boards of OSU-Tulsa, Langston-Tulsa and Oklahoma City, and elsewhere. When one of our institutions needs a president – and thus far, I haven't gone a year without a presidential search – several regents will serve on the search committee, and then the full Board becomes involved and makes the final selection. Sometimes a regent will serve on an

institutional search committee. And occasionally other needs crop up, such as the recent creation of a task force to review our policies and procedures, to make sure a “Penn State” type of incident does not happen here.

Our board has eight regular meetings each year and usually has at least one or two special meetings, as well. We review construction and other contracts, issue bonds, set tuition and fees, approve course changes, vote on pay raises, and approve long range institutional plans. Our annual budget is approximately \$1.3 billion. Our schools have well over 40,000 students, most of whom – some 36,000 – are OSU students.

We are a state agency. Our meetings are open to the public. We do not meet secretly and do not decide anything behind closed doors. I invite you to attend our meetings.

As regents, we have to strike a balance. We are tasked by the citizens of Oklahoma to operate our institutions on their



behalf. This is a particularly important function insofar as Oklahoma State University is concerned because OSU is a land grant institution, and as such, truly is the people's university. OSU's mission statement reflects this: "Oklahoma State University," it says, "is a multi-campus public land grant educational system that improves the lives of people in Oklahoma, the nation, and the world through integrated, high-quality teaching, research, and outreach...."

OSU's vision statement says much the same thing: "Oklahoma State University System will advance the quality of life in Oklahoma by fulfilling the instructional, research, and outreach obligations of a first-class, land grant educational system."

As these statements make clear, the Board of Regents owes a duty to the public. We also have a fiduciary duty to the institution. We have to make sure that our policies, practices and

procedures are sound, academically, fiscally and in numerous other ways. Sometimes balancing these jobs is difficult.

But this is what differentiates a public board of regents from a private board of trustees. By necessity and design, a public board is a political entity. That is, we are the board to whom the citizens turn when an issue concerning OSU or one of our other institutions arises.

Now, some people think the word “political” is a pejorative. I disagree. I have been involved in public policy for over 35 years, at all levels, from working for a President of the United States to representing a town with a population of 46 (do the math – if a family of four moves, that signifies a population shift of 10%!).

In our country, politics is about getting along with people. It’s the same thing we all do on a day-to-day basis. The political process involves working together with others to build a

consensus about issues of public policy.

I raise the issue of politics for a simple reason. In the public arena, higher education is under attack. Make no mistake about it. There are people who want to completely alter higher education, even completely defund public higher education, and seem bent on doing so without regard to the consequences.

Earlier this week, I read two articles, both about changes that could come to higher education, both concerning online education. One was a matter-of-fact piece in the *Chronicle of Higher Education*. It discussed the efforts of some states to regulate online programs.

The other was a state legislator's guest editorial in my local newspaper. The author apparently thinks he knows that institutions of higher education are about to disappear. He asserts, as if his word is final, that "In the future higher education will be free." No, he isn't saying the state should pay

for it. Quite the contrary. He apparently thinks no one should pay for it.

He touts online education as the future for everything higher education does. Certainly online and other contemporary tools can help supplement what higher education does. But he doesn't want the internet to supplement higher education; this politician wants it to replace higher education. In much the manner of an old teenage anthem, he virtually chants: no more classrooms, no more dormitories, no more, as he puts it, "mediocre lectures" at "middle-ranking institutions." Just "go on line and watch world experts." He completely discounts the value of the classroom, and asserts that the only thing that could inhibit students from getting their education for free would be "immoral politics."

There is a lot I could say here. Having taught and learned in a variety of settings, and having been around higher education

virtually my entire life, I know how important the interaction between professor and student is. Can you imagine how dramatically the value of an education would plummet if we eliminated the entire Socratic experience? Perhaps those who have not experienced the good of a higher education can blithely belittle what college is all about. But they are wrong. I, for one, believe we must aggressively combat these repeated assaults on the value and importance of higher education.

Now, there is little doubt in my mind that higher education is in the process of changing. And online access to information – I note you are discussing Massive Open Online Courses later today – is assuredly a part of the change. I have listened to college courses on CD-ROMs taught by top professors and have learned a lot, but they don't replace the classroom.

But a higher education is much more than the sum of lectures or writings of knowledgeable people. It involves

personal interaction; guidance; coaching; mentoring; listening to other ideas; learning to discuss; learning to debate; trial and error; working with groups; and so much more.

I don't know what all the changes will be, and certainly don't know what the outcome will be. But I do know that those of us who value higher education, those of us who care so deeply for the land grant mission Oklahoma State University so heartily embraces, need to be prepared for change, indeed to lead it. In this regard, I have a couple of simple suggestions.

1. Those of us involved in higher education need to look for ways we can do our job better. Reviewing your agenda for today, I know this group is doing precisely that. We must work to seek innovative and efficient ways to fulfill our mission, but without compromising the quality of the "product" we deliver.

2. Those of us involved in higher education need to promote the value of attending college. This is sort of the flip

side of point number 1. And it's hard to believe this is necessary. I grew up in an age when this was a given. Everyone knew that getting a college degree was important. No one had to talk about the value of attending college; we simply assumed that obtaining a college education was a key to a successful life. Times have changed; many doubt the value of a higher education. We can't simply depend on the notion that, if you build it, they will come. We must publicize the fact that college graduates are much more likely to earn more, to enjoy their careers, and to be community leaders.

3. Those of us involved in higher education must tell our story. We need to show why attending Oklahoma State University is important. We need to demonstrate how Oklahoma State University transforms lives. This one is easy for me. I can tell the story of my daughter, for whom Oklahoma State has been truly transformational.

It's not because she gained certain knowledge here, though that has certainly happened. It's because of the entire experience OSU has provided. She has had several professors who have taken a personal interest in her success, who have taught her, prodded her, encouraged her and mentored her. She has attended classes, engaged in discussions and debates, listened to the ideas of others, thought through and rethought through various problems and ideas. She has become a creative, critical thinker.

That doesn't happen in cookie cutter style. And it absolutely will not happen by starving higher education.

We need to tell stories like this. We must be proud of what we do, and we must tell people about it. We have a great story to tell. Let's tell it, and tell it proudly.

Since we are here in the Athletics Department complex, perhaps we can learn something from its denizens. Think about it. Can you imagine a college athletics coach who would not do



these things? Successful coaches always look for different, more effective ways to win. They regularly promote the value of athletics. They repeatedly tell their own success stories.

It is hard for me to imagine anything we do as a society that is more important than higher education. That's why I was excited on September 10, 2007, when Governor Henry appointed me to serve on the OSU/A&M Board of Regents. I wanted to help pass on to others the great things my education has meant to me. The reality of serving has been better than I expected thanks to the wonderful regents and staff with whom I serve and the great work done by you, the faculty and administration of Oklahoma State University.

I look forward to continuing our conversation as we work together in support of our shared mission. Thank you.