

Comments of Chair of the California Student Aid Commission  
Barry Keene on his Departure

As I have previously explained, I will be retiring as Chair of the Commission and quite likely as a member as well. There are personal reasons - nothing alarming - but today I want to focus on those reasons that pertain to the Commission's future, discharging the responsibilities that you have as members, and exploiting the opportunities you have to make a difference in the lives of students and the future of California.

I was not elected Chair several years ago because of my expertise in higher education. I was once a student, but at a time that bears little resemblance to the conditions that prevail today. After I left the Legislature, I had the good fortune to teach at three prominent public and private universities. But even those experiences did not qualify me for leading this Commission. I was selected mainly because I was once a consummate politician. And the Commission was on its last political legs - the barbarians at the gates.

Briefly, the then-Governor and his Department of Finance tried to effectively terminate us by firing his own appointed Chair, by refusing to make appointments sufficient to get a quorum, and by curtailing our authority to act.

The Legislative Analyst seemed to feel a commission was not needed because we were not performing any necessary policy functions and that the administrative functions could be more efficiently performed by a line agency within the executive branch. (In truth, their analysis was correct as it applied to *how the Commission functioned at that time*; but not *how it could function* in line with the legislative and executive policies that gave us life and purpose.)

Notwithstanding legislative leadership support, some key legislators resented our not behaving as a rubber stamp.

Also, some hard-pressed public and private universities and colleges, somewhat understandably, believed Cal Grant funds could be better dealt with by those institutions, individually, or within their systems rather than having state funding that would be allocated directly to students.

And some campus financial counselors, though far from all, seemed to feel our consultation with them was inadequate (we felt they wanted more control rather than consultation), and that our rulemaking was a pain in their collective necks.

The for-profit institutions might well have seconded that motion declaring us an unnecessary encumbrance.

Many of the entities with opposition tendencies I just described remain; but far more importantly, some would say amazingly, their objectives did not prevail.

Today, although CSAC is confronted with a majority of new, and some very new, commissioners, who generally have not worked together before in a small policy making group, the promise of stability and then fulfillment is at hand for the first time.

To their credit, this Governor and the Legislative leadership have filled all the appointment slots, and the confirmation process that gives us a degree of needed insulation from the political machinery is moving ahead. That semi-autonomy gives is what gives our decision making and advisory role credibility. We do not work for the Governor or the Legislature. We work for the students and the people of California. That is *why* we are a commission rather than a line agency.

So, if our policy role is becoming significant in the minds of the policy powers that be, what is the ambit of that policy role and how do we effectively discharge that responsibility? Those answers are up to you during these two days; but soon I will share with you my guiding vision up until now. But not until we first hear from Debbie Cochrane on the all-important first item and move on to the second.

For now, concerning my leaving, my usual modesty aside, I can't resist quoting the late President Kennedy on his inauguration: "There comes a time when the torch must be passed to a new generation." For California higher education, the new Commission is the new generation.

Here are some of my thoughts and my advice on the topics you will be discussing today and tomorrow -- leadership and organization:

First, you ought to elect a strong leader who is willing to accept responsibility for interpreting and executing the decisions you make. She or he must work well with others, especially the staff. Experience in presiding over small group activities would be a major plus. Also, that leader must have the time and the will needed to carry out the responsibilities you lay on her or him. This is especially important because the full Commission meets so infrequently under today's budget constraints, and because the Open Meeting Act limits the Chair's ability to consult with other commissioners and make decisions outside public view.

Second, the burden and power of that role should *not* be institutionally divided. Instead, it should allow the Chair, if it becomes useful in the Chair's judgment, to allocate some responsibilities to others, provided that the Chair remains accountable to the Commission for their actions.

Third, the Commission should define areas of effectiveness that include but are not limited to the following:

Identifying issues of existing importance and other issues as they arise; then, reacting in order to inform students, administrators, legislators and the Governor, taxpayers and the general public of what those issues are, what their impact is, and what the Commission recommends in addressing them. The resulting determinations should be made available and underscored as advice and as a catalyst to public involvement.

Never forget the Commission, and therefore individual Commissioners, have been vested with a public trust. It is the Commission's responsibility to ensure that the billion to billion-and-a-half dollars are used wisely, effectively, and in line with public objectives.

The Commission's role involves more than informing, advising and communicating. This is a diverse Commission whose members have a multiplicity of special skills that can be used, that can be enhanced through deliberation, and that can be assisted, as to practical consequences by a very knowledgeable and experienced staff. It has rulemaking authority that should be exercised when necessary.

Fourth, in order to take advantage of each member's special skills and interests, the Commission should have standing committees that match the knowable current and upcoming issues. When I say "standing," I don't mean forever. Obviously, they can be eliminated, increased in number, or otherwise modified by later Commission action. Because of the past instability and frequent inability to act, often due to bare quorums and quasi-punitive restrictions, I took it upon myself to create the three existing committees. However, I believe it would be better, in the future, to have those decisions made by the full Commission aided by proposals and recommendations made by the Chair.

Fifth, mechanisms should be created to provide for communication and collaboration with the various stakeholders, but without delegating authority that has been legally allocated to the Commission.

Sixth, this is cautionary, beware the *unregulated* expansion of online learning. Obviously, the benefits can, and hopefully will be, enormous in a period of limited funding for conventional education - brick and mortar, textbooks, classrooms, and the like. And it is inevitable. But, should we be providing to *every* self-styled online university the license to receive Cal Grants, no matter whether or where they were accredited? Does that fulfill our trusteeship? Yet, there are those who say we would be getting into decisions about the quality of education,

setting standards that have, and should continue to be, exclusively within the province of academic institutions, even if they are the sole source of financial support for the institutions that accredit them. (That sort of self-dealing was banned in a case involving the California Board of Forestry, whose financial support came from timber operators making the rules affecting their competitors and the environmental standards protecting public lands.) I believe we can act without getting into education standards by pushing for serious accreditation institutions whose members, not the Commission, can then decide if academic institutions, and particularly offerings online, do provide the quality education they promise. Your call.

I am indescribably grateful for current and past commissioners who elected me and to the staff, led by Diana here, who have made a very complex process work and who have provided support for the Commission in the face of huge budget cutbacks and personnel cuts. You will be amazed by staff members' loyalty to the cause. I would add some other superlatives, on an individual basis, except that I have spoken far too long, well in excess of human endurance. There may even be some questions.

Commission Meeting  
University of California, Davis  
November 15-16, 2012