

Martorana and Hollis as the "grandiose exception" in their discussion of the size of state institutional boards, and they omit it from their computation of average board membership in order to "present a truer picture."¹⁷ They found the arithmetic average size of the 209 public university and college boards they studied to be 10.6 members. The average membership of the twenty-two boards under examination here is sixteen; if North Carolina is excluded, the average is twelve. With respect to the different types of boards, the governing board had an average membership of 9.6, the governing-coordinating board an average of twenty, and the six Southern boards of both types an average of 29.5. The presence of North Carolina in the latter two computations is apparent.

The question, what size should an institutional board be to function best, has only one answer: the size that works best for that particular institution or institutions. Nevertheless, some useful generalizations and recommendations can be garnered from current commentary in the area of trusteeship. If one excludes the extremes in attempting to find the "best" size, as all commentators seem to do, the North Carolina board would have to be rejected.¹⁸ Two authorities who addressed themselves specifically to this board state that:

"In the case of the unique University of North Carolina 102-member board, 10 members constitute a

¹⁷MARTORANA & HOLLIS, *supra* note 4, at 28.

¹⁸The extremes of the twenty-two boards examined range from a low of six on the Board of Regents of the University of Nebraska to a high of 107 members on the Board of Trustees of the University of North Carolina.

quorum.¹⁹ All this certainly tends to confirm a conclusion that a large membership only contributes to unwieldiness and less than maximum efficiency in board operation."²⁰

In defense of this large board, however, it can be noted that it has functioned creditably. Perhaps it has done so in spite of its size, perhaps because of it, or more likely, because most of the powers of the board are exercised routinely by the twelve-member Executive Committee of the board.²¹

As stated above, commentators who have addressed themselves to the problem of institutional board size prefer boards considerably smaller than that of North Carolina. For example, Charles Eliot, former President of Harvard, stated in 1908 that the best number is seven,²² and fifty years later, John Russell, in a staff study of higher education in Michigan observed that "long experience in the American system of institutional control by boards indicates that a membership of from five to nine persons results in good procedure."²³

¹⁹The 1963 General Assembly changed the number required to constitute a quorum from 10 to 51. See N.C. GEN. STAT. § 116-8 (1966).

²⁰MARTORANA & HOLLIS, *supra* note 4, at 34.

²¹N.C. GEN. STAT. § 116-11 (1966) creates the Executive Committee. See, The Responsibilities of Trustees of a State University, Address by Victor S. Bryant made to the University of North Carolina Faculty Club at Chapel Hill, N. C., October 2, 1956.

²²E. ELIOT, UNIVERSITY ADMINISTRATION 2 (1908).

²³J. RUSSELL, HIGHER EDUCATION IN MICHIGAN: THE FINAL REPORT OF THE SURVEY OF HIGHER EDUCATION IN MICHIGAN 12 (1958).