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# Rules and Regulations

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## Our Universities: Rules and Regulations

As organizations grow in size and complexity it is nearly impossible to muzzle the tendency to direct and/or control behavior by the promulgation of rules and regulations. Rules are often confused with rationality, objectivity, and fairness.

*"No tendency is quite so strong in human nature as the desire to lay down rules of conduct for other people."*

William Howard Taft

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In the next few decades the medical/healthcare bureaucracy will see cancerous growth. Eisenhower's concerns regarding the military/industrial complex will look like a walk in the park by comparison. No matter your view of the Affordable Care Act, a.k.a. "Obama Care" or its intentions: Rules and regulations will proliferate. It will be inevitable, invasive and omnipresent; and a care crippling bureaucracy will be in full bloom. Process will trump service.

*"The United States Congress, And Its Membership, Will Not Have To Abide By The Very Rules And Regulations That They Have Created For Us" declares an April 25, update from Chris Jacobs of the Galen Institute. He continues, "The Twittersverse exploded with outrage today, following last night's **Politico** story indicating that congressional leadership have engaged in secret conversations attempting to craft an Obamacare waiver for Members of Congress and/or their staffs."*

According to the **Wall Street Journal** in a February 13, report, "Obama Care and the 29ers," new rules will be contorting businesses into machinations to beat the system. *"Welcome to the strange new world of small-business hiring under Obama Care. The law requires firms with 50 or more "full-time equivalent workers" to offer health plans to employees who work more than 30 hours a week. (The law says "equivalent" because two 15-hours-a-week workers equal one full-time worker.) Employers that pass the 50-employee threshold and don't offer insurance face a \$2,000 penalty for each uncovered worker beyond 30 employees. So by hiring the 50th worker, the firm pays a penalty on the previous 20 as well."*

For-every-action-there-is-an-equal-and-opposite-reaction, Newtonian management physics at work.

Government and its subsidiaries, national, state and local, don't have the market cornered. Large private sector enterprise is not immune from the greasy slope of rules as a surrogate for responsibility.

Same tune, different song.

Universities are a good example. With increasing, albeit legitimate, oversight from state legislatures and university boards, campus executives scramble to propagate rules providing the appearance of fairness, efficiency, rationality, and growth.

Unfortunately, as will soon be evidenced in implementing Obama Care, the rules create a response that exhausts creativity with rule avoidance or subterfuge rather than purposeful mission. Results: The dazzling pyrotechnics of circumvention.

All smoke, no heat.

Universities face pressure to grow enrollment from an evaporating pool of high school graduates. New student headcount is the coveted gold standard. However, if new students are not able to perform, or are poorly motivated, the results of recruitment efforts appear positive but only for a season. The purpose of the university is lost in measures and rules that provide the apparition of success.

The Florida Board of Education lowered standards for high school testing, evidently inspired by *No Child Left Behind*. In a **New York Times** piece last October, Lizette Alvarez reported the intentions: “*The end goal, they say, is that all students will be reading and doing math at grade level by 2023...*” Talk about an apparition of success. The focus shifts from the high purpose of valuable service, to the low purpose of bureaucratic manipulation.

Taft was right.

Good physicians treat patients’ not policies, procedures or outcome reports. The same can be said for faculty or teachers. When rules become a substitute for purpose the enterprise has lost its way.

Principles in the head and heart of a principal must guide organizational behavior, not paper work. And leadership must state the principles and stand back. This empowering does not grow from applied rules, but from principled relationships: The glue that holds an organization together.

Rules don’t create rationality. The case of the “29er’s” is a look through the keyhole into world of rules run amok.

Our best universities operate transparently. Necessary rules, regulations and reporting are neat and trim. Poorly conceived rules suffocate attentive decision making. The well-intended bureaucratic nightmares we construct as a substitute for professionalism, reflection and thoughtful action, are just that.