

**The AADC-Rutgers University Dispute in Context**

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by

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### Executive Summary

On April 20, 2015, Rutgers University gave an ultimatum to the legally independent Associate Alumnae of Douglass College (AADC): Become a chartered alumni group under the Rutgers VP for Alumni Relations and the Rutgers University Alumni Association or the University would terminate all services provided to the AADC. This unilaterally voided the Memorandum of Agreement previously governing the relationship between Rutgers and the AADC. The ultimatum allows the AADC to do no fundraising and to have no staff, effectively eliminating it as a functioning alumnae organization—one that has represented both generations of loyal Douglass alumnae and the highest alumnae giving participation within Rutgers--recently raising approximately \$42 million for the Rutgers Capital Campaign.

- **The AADC has a higher alumnae giving participation rate than the public Association of American University (AAU) average and Rutgers' AAU aspirational peers (14.6% AADC vs. 14% for both AAU averages), and a rate far higher than Rutgers as a whole (9%, or less, inclusive of AADC giving.)** Prior to dissolution of the undergraduate colleges in 2006, the AADC had a giving rate over 20%. Responsible financial stewardship and commitment to the goals of the Rutgers Strategic Plan cry out for retention and support for the AADC, an organization with proven fundraising and alumnae relations effectiveness. The current course of eliminating the AADC comes with the strong likelihood of losing the relationships and charitable giving its membership represents.
- **Alumnae/i Association hostile takeovers are unusual nationally.** Nationally, colleges and universities and their alumnae/i associations have gradually, and amicably, recalibrated their relationships and functions as parent institutions have become more dependent on charitable giving in recent decades. Thus, growing development offices and foundations have assumed some fundraising functions previously held by alumni associations. In those calibrations, only a very small number have resulted in public conflict.
- **In contrast, hostile takeovers are universal for alumnae associations representing public, historically women's colleges.** Although the institutions have evolved in very different ways since their founding, all the alumnae associations of the three of the public historically women's colleges including Douglass, Texas Woman's University, and Mississippi University for Women, have had their existence recently threatened by parent institutions. Historically founded as independent to assure the voice of women alumnae in institutions governed by men, two of the three, including Rutgers, continue to have male dominated governance bodies and leadership.
- **Douglass has grown to differ significantly from her sister public women's college** as a residential college without faculty or degree granting capacity within a large, multi-campus university while the other two continue as stand-alone institutions with their commitment to women represented in their names and missions even while admitting men as well as women. Douglass is an exception among the three where a specific focus on the education of women is neither in the University's mission nor strategic plan. In this context, the financial support and advocacy of the AADC is central to assure that the mission and programs associated with DRC and educational opportunities specifically for women continue to thrive within a large, complex institution.
- **Negotiated recalibration of alumnae/i -fundraising structures yield continuing, strong alumnae/i associations.** After negotiated recalibrations, including those at private women's colleges, the typically independent alumnae/i associations have remained legally independent,

fully staffed, campus based and housed organizations working in collaboration with development offices and foundations.

- **Rutgers' peer institutions do not have system-wide alumni associations or alumni relations as Rutgers has implemented.** Since reorganization in 2012, Rutgers University is structured as a state university system with a central CEO and administration coordinating separate campuses, including Rutgers-New Brunswick, each with its own CEO and administration. Many of its AAU peer public institutions are part of state systems including the Universities of Wisconsin, California, North Carolina, New York, and Texas. None of these peer institutions have either a central, system-wide alumni association or centralized alumni relations office. This has been a function left to campuses with which alumni identify.

**Background:** On April 20, 2015, the Associate Alumnae of Douglass College (AADC) was given an ultimatum: Become a chartered alumni group under the Rutgers VP for Alumni Relations and the Rutgers University Alumni Association (RUAA) or the University would terminate all services provided to the AADC. The university thus unilaterally voided the Memorandum of Agreement previously governing the relationship between Rutgers and the AADC.

The new status requires the AADC, as a charter organization, to cease fundraising for the Douglass Residential College (DRC), to cease sponsoring events and programs for students, and to employ no staff.<sup>ii</sup> In effect, this status would eliminate the AADC as a functioning organization. The AADC is expected to continue solely as a volunteer-based organization. The AADC has about 13.5 full and part-time staff for its programs and fundraising--staffing that would be lost to the AADC as a volunteer charter organization. **This paper provides context for understanding this dispute.**

In looking at the national context of alumnae/i associations in changing economic circumstances, the paper focuses, among others, on the alumnae association experiences of two historically related groups of women's colleges--(1) the "Seven Sisters"--elite, northeastern private institutions that provided inspiration upon Douglass's founding, and (2) with the other two publicly supported, historically women's colleges: Texas Woman's University (TWU) and Mississippi University for Women (MUW). Further, the paper considers alumni relations and fundraising within Rutgers' AAU peer institutions.

With the exception of Radcliffe, absorbed into Harvard, the seven sisters continue to have thriving alumnae associations working collaboratively with institutional fundraising. The parent institutions have, for the most part, remained true to women-centered missions. The three public historically women's institutions, Douglass, MUW, and TWU, have evolved in very different directions: TWU and MUW became coed in the 1980's after lawsuits challenged the exclusion of men in some of their programs. They nevertheless remain committed in name and missions to women's education. They are predominately female in enrollment. TWU, with a female dominated board and leadership, has grown to a multi-campus system and its historic alumnae organization has become one of two charter organizations under an institution-wide alumni relations office. MUW is led by a male dominated Board and president and has attempted to sever relations with its traditional alumnae association resulting in a court ruling against MUW. Douglass has had its faculty and degree granting authority absorbed into a much larger Rutgers University, with no reference to the education of women in the Rutgers mission statement or strategic plan. The Associate Alumnae of Douglass College (AADC) also sought court action and subsequently mediation to assure its survival representing the generations of Douglass alumnae and the interests of Douglass Residential College.

**Historical context:** An independent 501(c)3 non-profit organization, the AADC grew from the first graduating class of New Jersey College for Women (NJC) in 1922. NJC was founded in 1918, two years before passage of the 19<sup>th</sup> Amendment granting women the right to vote. It became Douglass College in honor of its founder in the 1950's.

Supported by Rutgers, Douglass was one of three state supported women's colleges in the country including Texas Woman's University (founded in 1909) and Mississippi University for Women (founded in 1884) and the only one affiliated with a land-grant institution. Founded by a Barnard graduate with the support of the New Jersey Federation of Women's Clubs, NJC reflected the academic values of the historic women's colleges in the northeast and the feminist spirit driving the suffrage movement. It was housed on its own campus about a mile "across town" from the traditionally male Rutgers College. (Douglass Residential College, 2015<sup>iii</sup>. Schmidt, 1968<sup>iv</sup>).

According to Dr. Carol T. Christ (President Emerita of Smith College, Douglass College Class of 1966, and currently director of the Center for Studies in Higher Education at UC Berkeley,) alumnae associations of women's colleges tended to establish themselves as independent organizations given, until recently, predominately male governing boards which provided minimal voice to women in the governance of their colleges. (Christ, 2015)<sup>v</sup>. At the same time, she reports alumni associations of state universities were also founded as independent organizations because of prohibitions on state funds for alumni and fund-raising activities.

In 1981, Rutgers University integrated the faculties of arts and sciences across the New Brunswick campuses. This consolidation eliminated a faculty devoted exclusively to Douglass College--striking at the heart of what makes a college. In 2006, Rutgers decided to further consolidate New Brunswick operations by eliminating the separate New Brunswick undergraduate colleges, including Douglass. In the turmoil around this decision, the Dean of Douglass, Carmen Twillie Ambar and the AADC led the effort to "Save Douglass." As a result, Rutgers designated the Douglass Residential College (DRC) to continue a woman-centered educational experience within Rutgers University system<sup>vi</sup>.

The efforts of Rutgers to "integrate" and, effectively, diminish or eliminate Douglass over the decades have created a climate of distrust among Douglass Alumnae towards Rutgers reflecting the original rationale for the independence of women's colleges alumnae associations. Despite the passage of time since Douglass' founding, a large majority (10 of 15) of the Rutgers Board of Governors are men including its Chair and Vice-Chair, the President, who is an *ex officio* member of the Board, and the Chancellor of Rutgers-New Brunswick. This composition heralds back to Dr. Christ's observation about the early rationale for the alumnae associations for women's colleges to incorporate independently: to assure a voice for alumnae dedicated to women's education with governing boards that might not allow them a voice.

In contrast to many alumni associations nationally, the AADC does not operate on funding from the University, but provides, through its fundraising, a significant portion of the operating budget for the Douglass Residential College (DRC) within Rutgers. In FY 2014 the AADC supported 43% of the programmatic budget for the DRC and 24% of its total operating budget (AADC website<sup>vii</sup>).

The effectiveness of developing long-term relationships with alumnae that grow financial support is reflected in a significantly higher alumnae/i giving rate for Douglass alums, 14.6%, vs. total alumni giving at Rutgers of 9% inclusive of AADC participation.<sup>1</sup>(The annual survey of the Council for Aid to Education cites Rutgers alumni participation rate even lower at 6.3% in 2014.<sup>viii</sup>). In stressed financial times, colleges and universities, most recently at the University of Connecticut, are reducing (or in the case of UConn eliminating) their allocations for those alumni associations that are not self-funding like the AADC. The AADC-University cash flows in the opposite direction from UConn, benefiting Rutgers through AADC financial support for the DRC without institutional funding beyond rent.

The ultimatum to the AADC comes within a year of Rutgers unveiling a significant strategic plan which places a priority, highlighted by a *Rutgers Magazine* article<sup>ix</sup>, on increasing the problematic Rutgers 9% alumni participation rate in comparison to the 14% average for public Association of American Universities (AAU) and AAU aspirational peer institutions.<sup>x</sup> The AADC's 14.6% alumnae

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<sup>1</sup> The 9% figure used in the Strategic Plan is the higher of several cited including Major's article about the Strategic Plan citing an 8% Rutgers alumni giving rate, and the Council on Aid to Education's annual survey which reported the 2014 alumni participation rate at Rutgers at 6.3%.

giving rate is already higher than the AAU aspirational institution average cited in the plan. Further, the AADC participation was even higher, at 21-22%, prior to the dissolution of the New Brunswick undergraduate colleges in 2006—an event that resulted in Douglass alumnae confusion and/or disagreement with the conversion of Douglass to a residential college without degree granting authority.<sup>xi</sup>

The strategic plan cites Rutgers alumni participation rate as a problem. Yet, the proposed restructuring of fundraising for Douglass Residential College moves fundraising from the organization that has exceeded Rutgers' aspirational target to turn it over to the organization that has produced the problematic 9% alumni participation rate cited in the strategic plan--far below the aspirational target.<sup>xii</sup>

**(One could question whether the Rutgers alumni participation rate was historically low or whether it dropped when Rutgers College was eliminated and when the Rutgers Alumni Association was demoted to an unstaffed charter organization under the RUAA just as “baby boomer” alums reached their most productive ages for charitable giving.)**

**National Context relative to Alumnae/i Associations:** A review of the websites of women's colleges and the two other public historically women's colleges,<sup>xiii</sup> eight public “flagship” universities,<sup>xiv</sup> a review of public AAU aspirational peer institutions<sup>2</sup>, a 20 institution study by the Napa Group, and a private consulting firm serving the University of Tennessee Alumni Association on the funding of alumni associations<sup>xv</sup> form the basis for the observations below.

Since their founding, typically as independent organizations, alumni associations raised funds for both their operations in fostering alumni connections and the institutions producing them. In time, the funding of both private and public institutions have come to rely ever more on private philanthropy necessitating building their fundraising capacities. As a result, relationships between alumni associations, the institutions with which they've been associated, and institutional development offices have typically been recalibrated in the last quarter century to clarify roles, maximize strengths, and to reduce duplication.

The Napa report describes three groups of relationships between alumni associations and parent institutions: Dependent, interdependent and independent with a 21<sup>st</sup> century trend toward interdependent, even in the context of legally independent nonprofits. In some interdependent cases, for example, the head of the independent alumni association is a university officer responsible for alumni relations.

The effectiveness of these transitions are often determined by how they are done *e.g.* through respectful negotiation honoring the common commitment of all parties to the institution or unilateral action. Such negotiations have led to cooperative recalibration vs. draconian and unilateral “restructuring” sacrificing the alumnae/i relationships, student programs, and fundraising cultivated over time by the alumnae/i associations. The latter are far less frequent and often lead to lawsuits and acrimony serving none of the party's best interests nor those of the institution.

**Staffing:** With the movement to greater integration, alumni associations continue to maintain staffs for programs, developing and maintaining relationships that serve in their collaboration with

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<sup>2</sup> These are institutions identified in the Rutgers Strategic Plan as “AAU aspirational peer institutions” representing the nine public institutions in the top quartile of the elite Association of American Universities made up of 62 American research universities.

development offices, and alumni/career services. The majority of the “Seven Sisters” remain independent organizations working in collaboration, and sharing office housing with the development office and/or foundation. For example, the Smith AA has 14 staff and the VP of Alumnae Relations is also executive director of the independent AASC, Mount Holyoke has 17 staff, and Wellesley, 17. These staffing numbers are comparable with the state university alumni associations reviewed.

**Disputes:** On occasion, the introduction or growth of internal fundraising units and the traditional roles of alumni associations have produced conflict. A search of *The Chronicle of Higher Education* and the Internet produced relatively few publically visible disputes in the recalibration of alumni association and institutional relationships.<sup>xvi</sup> Even with the possibility of others missed by *the Chronicle of Higher Education*, seven institutions of 4,706 degree granting institutions in the US<sup>xvii</sup> is a miniscule number. Of the seven institutions identified (not including AADC-Rutgers), four resulted in lawsuits, and one resulted in mediation. Lawsuits were typically initiated by the institutions after severing relationships seeking to prohibit the use of the name, and trademarks for the institution and/or seeking ownership of alumni association endowment funds.

Baylor University, headed by the litigator who prosecuted the impeachment of President Clinton, remains the most contentious with matters remaining in litigation since 2010. Baylor attempted to establish a new in-house alumni association, in competition with the 150-year-old Baylor Alumni Association, when a prior President claimed the alumni magazine was critical of him.

Closer to home, the University of Connecticut, in the throes of budget cuts, recently severed its relationship with the UConn Alumni Association (UCAA) and asked the UConn Foundation to assume alumni relations functions. With low UCAA membership (around 4%), the UConn President viewed the Foundation as better able to mobilize alumni.

In contrast to the AADC, which generates significant institutional support without institutional funding, the UCAA depends on about \$500,000 annually in UConn funding for its operations. UConn’s President credited the UConn Foundation with greater fundraising success than its alumni association with low membership. The UCAA Board voted to dissolve the organization and is in the process of deciding how to pass on its functions and distribute \$9.2 million in assets.<sup>xviii</sup> However, the student newspaper and former presidents of the UCAA have questioned the wisdom of both dissolution and UConn administrators. The dissolution is still subject to a vote of the UCAA membership<sup>xix</sup> and the conflict continues to fuel Connecticut news coverage.

**Women’s colleges-alumni association disputes:** Historically, women’s college alumnae associations were founded as legally independent to assure that female alumnae had a voice in the context of male dominated institutional decision-making structures. All three of the public, historically women’s colleges/universities have recently had their alumnae associations faced with administrative ultimatums threatening their existence. In contrast to the very small proportion of disputes across all institutions nationally, this figure represents 100%. The alumnae associations tied to the two institutions with male dominated Boards and administrations, the AADC and the MUWAA, sought court intervention for their voices to be heard. This suggests that the rationale for independence holds today much as it did at the founding of the alumnae associations.

- The President of Texas Woman’s University, now a multi-campus institution, announced a restructuring of its alumni relations functions in June 2012 under the TWU Office of Alumni Relations. The historic alumnae association, the Former Students Association (FSA), a 501(c)3 nonprofit, was given the options of full independence, becoming a charter group in the new

structure (one of two), or dissolving the FSA. After extensive study, the FSA board voted for the transition to charter status where its programs are dependent on volunteer staffing.

- The Mississippi University Alumnae Association contended from 2007-2011 with legal action after the University president sought to dissolve the alumnae association and named an interim board to replace it. After a court order allowing MUWAA to continue to operate, the situation was resolved with a formal “affiliation agreement.”<sup>xx</sup> In the ruling, the judge indicated that the president had acted in bad faith in terminating the agreement between the university and the alumnae association. The affiliation agreement imposed multiple conditions on the Alumnae Association especially related to fundraising. Further, it grants the institution authority to terminate the agreement without cause with thirty days notice. After the dispute, the MUWAA is also primarily dependent on volunteers to deliver its programs. Like Rutgers, the leadership and Board of MUW is predominately male.
- While not a public institution, Mount Holyoke College was in dispute with its Alumnae Association (MHAA) for three years from 1999 to 2002 triggered when accountants questioned both the institution and the MHAA regarding ownership of the annual fund which funded the MHAA operations, among other things. The resolution, after mediation, involved college control over the annual fund and a commitment by the college to provide annual funding to the MHAA based on a percentage of the MHC Endowment.

**Centralized alumnae/i operations in multi-campus peer universities--nonexistent.** The Rutgers proposal requires the AADC to become one of about 140 charter organizations within a university-wide alumni association. A review of regional state institutions and AAU Aspirational Peer Institutions that are part of multi-campus systems (Universities of California, Wisconsin, North Carolina, and Texas) reveals **no** case of a system-wide alumni association. Thus, there is none, like the RUAA, to which campus alumni associations are subordinate.

Conventional practice recognizes that nurturing relationships and loyalty to an institutional identity ultimately enhances fundraising. Such nurturing occurs “closer to home” than at an organizational distance. There are exceptions when the institution in question is the historic anchor to lead campuses that have developed satellites such as Texas Woman’s University and Penn State. In those cases, there are campus based alumni organizations reporting to main campus based alumni relations staff and/or the historic alumni association on the anchor campus.

In conclusion, the AADC is a vibrant, standalone alumnae association with a nearly hundred-year tradition. It has proven its effectiveness in fundraising and friend raising and in delivering or funding programs that assure “the Douglass Difference.”

Effective stewardship of organizational resources and institutional legacy suggests dissolution of this organization as it stands is folly. The AADC does, with a history of enviable success, what the RUAA and RUF are seeking to do without a comparable track record.

Designating the AADC as one of 140 unstaffed, volunteer charter groups under the centralized RUAA (a structure absent from AAU Aspirational Peer institutions) dissolves a proven model to replace it with an unproven strategy of system-wide alumni relations counter to any comparable institution and likely to alienate potential donors.

Donors are not likely to respond to an appeal by an institution with which it does not identify. Such an appeal is illustrated in a link in the DRC website’s “message to alumni” by the Rutgers



University Alumni Association which refers to a “your vibrant alumni community”<sup>xxi</sup> going to the RUAA website referring to 140 RUAA charter organizations and events with virtually no reference to the existence of the Douglass Residential College, Douglass College, or NJC. Nor does it acknowledge the AADC. Graduates from all these colleges make up the AADC and, by definition, were part of Rutgers University. Such exclusion promotes neither a sense of identity nor reason to continue the high alumnae giving rate previously characterizing the AADC.

The AADC independent status is consistent not only with industry practice but with its history of affiliation with a women’s college subject to predominately male authority. Long-term and recent experience suggests that independence, leavened with cooperation, is more essential than ever.

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<sup>ii</sup> Fox, J.M & Anderson, V.L. (April 2015) *An important message from your Alumnae Association*. <http://archive.constantcontact.com/fs193/1103500535881/archive/1120828768793.html>

<sup>iii</sup> Douglass Residential College (2015) <https://douglass.rutgers.edu/history>

<sup>iv</sup> Schmidt, G.P. (1968). *Douglass College: A history*. New Brunswick NJ: Rutgers University Press.

<sup>v</sup> Christ, C.T. (April 2015) *Personal correspondence with Robert Barchi*, President Rutgers University.

<sup>vi</sup> Douglass Residential College (2015) <https://douglass.rutgers.edu/history>

<sup>vii</sup> <http://www.douglassalumnae.org/wp-content/uploads/2015/06/AADC-FAQ-updated-June-151.pdf>

<sup>viii</sup> Council for Aid to Education. (2014). *Voluntary support to education*.

<sup>ix</sup> Major, D.W. (Fall 2014) Playing the percentages. *Rutgers Magazine*. <http://magazine.rutgers.edu/features/playing-the-percentages>.

<sup>x</sup> Rutgers University. (2014). *Rutgers: In a 250-year history, a singular moment in time...our moment: A strategic plan for the new Rutgers*. New Brunswick NJ: Rutgers University, Office of the President, p. 24.

<sup>xi</sup> Anderson, V. (June 29, 2015). *Personal Communication*.

<sup>xii</sup> Rutgers University. (2014). *Rutgers: In a 250-year history, a singular moment in time...our moment: A strategic plan for the new Rutgers*. New Brunswick NJ: February Rutgers University Office of the President, p. 24.

<sup>xiii</sup> Estler, S.E. (2015) *Alumnae/i/Development structures: Private and public historically women’s colleges*. Unpublished table, available from author.

<sup>xiv</sup> Estler, S.E. (2015) *Alumni Association and Foundations in State Supported, Multicampus Institutions*. Unpublished table available from author.

<sup>xv</sup> The Napa Group. (November, 2010). *Alumni association funding models: Summary findings from 20 universities*. Novato, CA: 39 Pearl Ct.

<sup>xvi</sup> Estler, S.E. (June 2015). *Alumnae/i Association and Institutional Disputes*. Unpublished table available from author.

<sup>xvii</sup> U.S. Department of Education, National Center for Education Statistics. (2015). *Digest of Education Statistics, 2013* (NCES 2015-011), Chapter 2.

<sup>xviii</sup> Megan, K. (March 12, 2015). UConn Alumni Association on verge of dissolution. *The Hartford Courant*. <http://www.courant.com/education/hc-uconn-alumni-0311-20150310-story.html>

<sup>xix</sup> Thomas, J.R. (March 25, 2015). UConn formally ends relationship with its alumni association. *The CT Mirror*. <http://ctmirror.org/2015/03/25/uconn-formally-ends-relationship-with-its-alumni-association/>.

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<sup>xx</sup> NA (July 9, 2011). *Affiliation agreement between Mississippi University for Women and the Mississippi University for Women Alumnae Association*.

<sup>xxi</sup> A message from the Rutgers University Alumni Association. (2015). <https://douglass.rutgers.edu/alumnae>.