



TO: Dr. John Nolt  
FROM: Scott E. Simmons  
RE: Statewide Higher Education Models  
DATE: March 28, 2009

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The purpose of this memorandum is to provide a brief overview of the organization of higher education in several states. This issue has arisen in light of the recent proposal by the Tennessee legislature to reorganize higher education.<sup>1</sup> This proposal arose after there was an opening at the top of both of Tennessee's higher education systems – the Tennessee Board of Regents and the University of Tennessee – after UT President John Petersen resigned last month and Tennessee Board of Regents Chancellor Charles Manning announced his retirement effective June 30.<sup>2</sup>

## **A. California**

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### 1.) The California State University

The 23-campus California State University has been unified in some form or fashion since 1960 under a state legislative mandate.<sup>3</sup> The system became the California State University in 1982.<sup>4</sup> CSU educates more than 450,000 students each year, and it employs over 47,000 faculty and staff.<sup>5</sup>

Though the campuses range geographically, the system's headquarters – spearheaded by the university chancellor – is located in Long Beach, about 25 miles south of Los Angeles.<sup>6</sup> A map showing the respective campuses and their locations is attached to the end of this document as Appendix A.

Ultimate responsibility for the university rests with the 25-member board of trustees, whose members are appointed by the governor.<sup>7</sup> The trustees in turn appoint not only the chancellor, who serves as the chief executive officer of the system, but also the campus presidents, who serve as chief executive

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<sup>1</sup> Joan Garrett, *University of Tennessee System Leadership Changes Hands*, Chattanooga Times-Free Press (Feb. 28, 2009).

<sup>2</sup> Chloe White, *Bredesen Urges Look at Higher-Ed Structure*, Knoxville News-Sentinel (Mar. 28, 2009).

<sup>3</sup> *About the CSU*, [http://www.calstate.edu/executive\\_orientation/about-csu.asp](http://www.calstate.edu/executive_orientation/about-csu.asp) (Last visited Mar. 20, 2009). A sample list of campuses within the system includes: (1) Cal State Bakersfield; (2) Fresno State University; (3) Cal State Fullerton; (4) Cal State Northridge; (5) San Diego State University; and (6) San Jose State University. *Campus Addresses*, [http://www.calstate.edu/explore/campus\\_addresses.shtml](http://www.calstate.edu/explore/campus_addresses.shtml) (Last visited Mar. 20, 2009).

<sup>4</sup> *Id.*

<sup>5</sup> *CSU System Overview*, [http://www.calstate.edu/executive\\_orientation/system-overview.asp](http://www.calstate.edu/executive_orientation/system-overview.asp) (Last visited Mar. 20, 2009).

<sup>6</sup> *Id.*

<sup>7</sup> *About the CSU*, supra Note 3.



officers on their respective campuses.<sup>8</sup> The trustees, the chancellor and the campus presidents together develop system-wide policy.<sup>9</sup>

The chancellor (the current chancellor is Charles B. Reed) reports directly to the Board, but he also has appointment powers over the following positions:

- Executive Vice Chancellor / Chief Academic Officer
- Executive Vice Chancellor / Chief Financial Officer (also serves as Board Treasurer)
- General Counsel (also serves as Board Secretary)
- Vice Chancellor of Human Resources.<sup>10</sup>

The Office of the General Counsel reports directly to the chancellor, with a dotted-line reporting to the trustees.<sup>11</sup> Conversely, the Office of the University Auditor reports directly to the board, with a dotted-line reporting to the chancellor.<sup>12</sup> An organizational chart detailing this structure is attached to the end of this document as [Appendix B](#).

The chancellor's primary duties include:

- Leading the CSU system;
- Assisting CSU campuses to carry out CSU's mission;
- Working cooperatively with campuses to design and implement system-wide initiatives;
- Coordinating system-wide academic, advancement, budgetary, capital planning, human resources, legal, and technology-related functions; and
- Representing CSU to state and national policymakers.<sup>13</sup>

Further, CSU employs the services of a 51-member, system-wide Academic Senate, which serves as “the official voice of the faculty in matters of system-wide concern . . . [and] provides the means for

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<sup>8</sup> *Id.*

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*



the faculty to participate in the collegial form of governance.”<sup>14</sup> The Senate has primary responsibility over recommending academic policies to the board and the Chancellor.<sup>15</sup>

## 2.)      *The University of California*

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The California Regents, a 26-member board established under Article IX, Section 9 of the California Constitution, governs the 10-campus University of California, which includes such institutions as Cal-Berkeley, UC-Irvine, and UCLA.<sup>16</sup> The Regents appoint the President of the University, as well as the officers of the regents, which include the positions of:

- General Counsel;
- Treasurer;
- Secretary & Chief of Staff; and
- Chief Compliance & Audit Officer.<sup>17</sup>

Among the regents, 18 are appointed by the governor for 12-year terms, while one member is a student who serves a one-year term.<sup>18</sup> The other seven members are ex-officio, including the Governor, the Lieutenant Governor, the Superintendent of Public Instruction, the president and vice president of the UC Alumni Association, as well as the UC president.<sup>19</sup> Two faculty members – the chair and vice chair of the Academic Senate – also sit on the board as non-voting members.<sup>20</sup>

Similar to Cal State, the university faculty is represented by the Senate, which is authorized by the regents to exercise “direct control over academic matters.”<sup>21</sup> Further, the Senate “authorizes, approves, and supervises all courses and determines UC’s conditions for admissions, certificates, and degrees.”<sup>22</sup>

## **B.      Georgia: University System of Georgia**

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<sup>14</sup> *Constitution of the Academic Senate of the California State University*.

<sup>15</sup> *About the Senate*, [http://www.calstate.edu/AcadSen/Records/About\\_the\\_Senate](http://www.calstate.edu/AcadSen/Records/About_the_Senate) (Last visited Mar. 20, 2009).

<sup>16</sup> *The Regents of the University of California*, <http://www.universityofcalifornia.edu/regents/welcome/html> (Last visited Mar. 20, 2009).

<sup>17</sup> *Id.*

<sup>18</sup> *About the Regents*, <http://www.universityofcalifornia.edu/regents/about/html> (Last visited Mar. 20, 2009).

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *About UC: Shared Governance*, <http://www.universityofcalifornia.edu/aboutuc/governance.html> (Last visited Mar. 20, 2009).

<sup>22</sup> *Id.*



The University System of Georgia's (USG) Board of Regents was created in 1931 and, for the first time, placed all higher education institutions within the state under one authority.<sup>23</sup> Since that time, the Board's governance has extended to 35 different colleges and universities, broken down as follows: four research universities, two regional universities, 13 state universities, eight state colleges, and eight two-year colleges.<sup>24</sup> Included among these institutions are Georgia Tech, Georgia Southern University, Georgia State University, the Medical College of Georgia, and the University of Georgia.<sup>25</sup> More than 283,000 students and 40,000 faculty and staff, in addition to an annual budget over \$6 billion, are managed by the Board.<sup>26</sup>

The Board of Regents is organized a bit differently than in other states in order to accurately represent the different interests of institutions all across the state. More specifically, the 18-member board is appointed by the governor as follows: five members are appointed at-large, and one member is appointed from each of Georgia's 13 congressional districts.<sup>27</sup> The Board subsequently elects a chancellor to serve as the chief executive officer and the chief administrative officer of the system.<sup>28</sup> A complete USG organizational chart is attached to the end of this memorandum as Appendix C.

The chancellor (currently Erroll Davis, Jr.) presides over the entire system, with five distinct units that report directly to him:<sup>29</sup>

- The first unit is the office of the Chief Academic Officer, who also serves as Executive Vice Chancellor.<sup>30</sup> Underneath the Chief Academic Officer, the presidents of both regional universities (Georgia Southern University and Valdosta State University) and the 13 state universities (including Kennesaw State University, Savannah State University and the University of West Georgia) report directly to this office.<sup>31</sup> A map depicting the various locations and types of universities in Georgia is attached to the end of this memorandum as Appendix D.
- The second unit that reports directly to the chancellor consists of the four presidents of Georgia's research institutions – the University of Georgia, Georgia Tech, Georgia State University, and the Medical College of Georgia.<sup>32</sup>

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<sup>23</sup> *About the Board of Regents*, <http://www.usg.edu/regents> (Last visited Mar. 28, 2009).

<sup>24</sup> *Id.*

<sup>25</sup> *Colleges & Universities*, <http://www.usg.edu/inst> (Last visited Mar. 28, 2009).

<sup>26</sup> *About the Board of Regents*, supra Note 23; see also *Biography of Erroll B. Davis Jr.*, <http://www.usg.edu/chancellor/bio> (Last visited Mar. 28, 2009).

<sup>27</sup> *About the Board of Regents*, supra Note 26.

<sup>28</sup> *Id.*

<sup>29</sup> *Board of Regents Organization Chart*, <http://www.usg.edu/regents/org> (Last visited Mar. 28, 2009). See also *Overview*, <http://www.usg.edu/chancellor> (Last visited Mar. 28, 2009).

<sup>30</sup> *Board of Regents Organization Chart*, supra Note 29.

<sup>31</sup> *Id.*

<sup>32</sup> *Id.* See also *Colleges & Universities Map*, <http://www.usg.edu/inst/map.phtml> (Last visited Mar. 28, 2009).

- The third unit is headed by the system's Chief Operating Officer of the system, who in turn oversees the presidents of both the state colleges (e.g. Dalton State College, Gainesville State College, Middle Georgia College) and the two-year colleges.<sup>33</sup> The COO also oversees the Office of Administrative Fiscal Affairs, which manages the system's budget.<sup>34</sup>
- The fourth unit is overseen by the Chief Audit Officer, who also serves as Associate Vice Chancellor.<sup>35</sup>
- The final unit that reports directly to the system chancellor is the Senior Vice Chancellor for External Affairs.<sup>36</sup>

The Chancellor serves as the enactor of the policies and vision set forth by the Board of Regents, while also serving as the system's primary strategic planner.<sup>37</sup> The Chancellor also acts as both the chief overseer of the state's higher education resources and the system's primary advocate to the government and other outside constituencies.<sup>38</sup>

It is of particular interest to note that Chancellor Davis did not make his way up through the ranks of higher education; instead, before becoming system chancellor in 2006, Mr. Davis had served as President and CEO of Alliant Energy Corporation, an energy holding company with annual operating revenues in excess of \$3 billion.<sup>39</sup> Mr. Davis did, however, previously serve as a member of the University of Wisconsin Board of Regents, as well as serving as a member of the Board of Directors at Carnegie Mellon University.<sup>40</sup>

### **C. Florida: Florida Board of Governors**

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The Florida Board of Governors oversees Florida's 11 public universities (the State University System of Florida), which includes both the University of Florida and Florida State University.<sup>41</sup> The system currently employs over 63,000 faculty and staff, with more than 300,000 students currently enrolled across the state.<sup>42</sup>

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<sup>33</sup> See *id.*

<sup>34</sup> *Id.*

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

<sup>37</sup> *Mission Statement of the Office of the Chancellor*, <http://www.usg.edu/chancellor/mission> (Last visited Mar. 28, 2009).

<sup>38</sup> *Id.*

<sup>39</sup> *Biography of Erroll B. Davis Jr.*, supra Note 26.

<sup>40</sup> *Id.*

<sup>41</sup> *Florida Board of Governors*, <http://www.flbog.org> (Last visited Mar. 28, 2009).

<sup>42</sup> *Quick Facts*, <http://www.flbog.org/resources/quickfacts> (Last visited Mar. 29, 2009).



The Board was created in 2002 after a proposed constitutional amendment to revise Florida's higher education was passed by the state's voters.<sup>43</sup> The Board as set forth consists of 17 members, 14 of which are appointed by the governor.<sup>44</sup> Each of these appointed members serves a seven-year staggered term, and each must be confirmed by the Florida State Senate.<sup>45</sup> The other three Board members consist of (1) the state's Commissioner of Education, (2) the President of the Florida Student Association, and (3) the chair of the Advisory Council of Faculty Senates.<sup>46</sup>

While the Board of Governors – with the Chancellor as its chief executive officer – serves as the chief overseer of statewide educational policy, each of the 11 state universities also has its own 13-member Board of Trustees.<sup>47</sup> Each university board is responsible for implementing its own budget and academic programs for its respective university.<sup>48</sup> Six board members at each institution are appointed by the Governor, while five members are appointed by the Board of Governors, each to be confirmed by the senate to serve a staggered five-year term.<sup>49</sup> The remaining two board positions are filled by the chair of the university's faculty senate and the president of the university student body.<sup>50</sup> The board of trustees at each university in turn appoints each university's president, while at the same time reporting directly to the Board of Governors.<sup>51</sup>

On a related note, in 2007 Florida Governor Charlie Crist signed into law legislation that allowed the Board of Governors to charge differential tuition (up to 40% higher) at Florida State and the University of Florida, as well as a 30% hike at the University of South Florida.<sup>52</sup> These institutions were allowed to raise their tuition rates as a result of achieving certain research benchmarks.<sup>53</sup>

#### **D. Mississippi: State Institutions of Higher Learning**

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In a similar fashion to Florida, the eight public universities in Mississippi (including the University of Mississippi and Mississippi State University) are governed by a unified body known as the Board of Trustees of State Institutions of Higher Learning.<sup>54</sup> Likewise, each of the 12 board members is appointed by the Governor to a nine-year term “at the advice and consent of the Senate.”<sup>55</sup> Four

<sup>43</sup> Constitution of the State of Florida, Article IX, Section 7.

<sup>44</sup> *Id.*

<sup>45</sup> *Id.*

<sup>46</sup> *Id.*

<sup>47</sup> *University Boards of Trustees*, <http://www.flbog.org/aboutsus/ubt.php> (Last visited Mar. 29, 2009).

<sup>48</sup> *Id.*

<sup>49</sup> *Id.*

<sup>50</sup> *Id.*

<sup>51</sup> See *University of North Florida Organizational Chart*, <http://www.unf.edu/unfinfo/orgchart/content-images/board/gif> (Last visited Mar. 29, 2009).

<sup>52</sup> Mary Ellen Klas, *Crist OK's Tuition Hikes at 3 Universities*, Miami Herald (June 27, 2007).

<sup>53</sup> Florida Senate Bill 1710, *Florida Senate* (2007).

<sup>54</sup> Constitution of the State of Florida, Article VIII, Section 213-A.

<sup>55</sup> *Id.*



members of the Board are appointed from each of the state's three Supreme Court districts.<sup>56</sup> The Board is primarily responsible for creating policy and financial oversight over the eight universities.<sup>57</sup>

The Commissioner of Higher Education, who is appointed by the Board, serves as the lead officer in administrating the policies and bylaws of the Board.<sup>58</sup> Additionally, the Commissioner serves as the liaison between the Board and all outside constituencies, including government officials.<sup>59</sup> The following offices are placed underneath the oversight and control of the Commissioner's office:

- Academic and student affairs;
- Construction and physical affairs;
- Finance and administration; and
- Research and planning.<sup>60</sup>

Each of the eight universities within the system has either a president or chancellor, who is chosen by and reports directly to the Board.<sup>61</sup>

#### **E. North Carolina: The University of North Carolina System**

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As of 1972, after enactment of the Higher Education Reorganization Act of 1971 passed the North Carolina Legislature, all 16 public four-year universities in North Carolina have been lumped together under the direction and leadership of the University of North Carolina system.<sup>62</sup> This includes not only the University of North Carolina – Chapel Hill, but also other higher education institutions such as North Carolina State University, Appalachian State University, and East Carolina University.<sup>63</sup> A map depicting the list of institutions comprising the system can be found as [Appendix E](#) to the end of this document.

The system is controlled by the UNC-Board of Governors, which serves as the chief policy-making body.<sup>64</sup> The Board of Governors consists of 32 voting members, each of which are elected for a four-year term by the North Carolina General Assembly, and is headed by a chairperson.<sup>65</sup> Additionally,

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<sup>56</sup> *Id.*

<sup>57</sup> *The Board of Trustees*, <http://www.mississippi.edu/board> (Last visited Mar. 29, 2009).

<sup>58</sup> *Id.*

<sup>59</sup> *Frequently Asked Questions*, <http://www.mississippi.edu/faq> (Last visited Mar. 29, 2009).

<sup>60</sup> *The Board of Trustees*, supra Note 57.

<sup>61</sup> See *Chancellor Search Advisory Committee Named*, The University of Mississippi Newsdesk (Mar. 13, 2009).

<sup>62</sup> *UNC Facts*, <http://www.northcarolina.edu/content.php/home/facts.htm> (Last visited Mar. 29, 2009).

<sup>63</sup> *Constituent Universities*, <http://www.northcarolina.edu/content.php/campusmap.htm> (Last visited Mar. 29, 2009).

<sup>64</sup> *Board of Governors*, <http://www.northcarolina.edu/content.php/bog/index.htm> (Last visited Mar. 29, 2009).

<sup>65</sup> *Id.*



several non-voting members serve varying terms on the Board, including former chairs of the Board, former governors, and the president of the UNC Association of Student Governments.<sup>66</sup>

The Board of Governors appoints the university president (currently Erskine Bowles, a graduate of the University of North Carolina at Chapel Hill), who serves as the “chief administrative officer” over the 16-campus system.<sup>67</sup> Like Chancellor Davis in Georgia, Bowles garnered his experience outside the educational ranks, most notably serving as Chief of Staff to President Bill Clinton from 1996-98 after a career in financial management.<sup>68</sup> The president also has control over the various system administrative functions and offices, including:

- Academic affairs;
- Finance
- Human resources;
- Information resources;
- Legal affairs;
- Institutional research and analysis;
- University affairs;
- the University Secretary; and
- University-School Programs.<sup>69</sup>

Although the Board of Governors serves as ultimate authority over the university system, each university is granted substantial leeway in directing its own campus. Each university has a separate 13-member Board of Trustees that oversees policy and governance over its respective institution.<sup>70</sup> Of the trustees, eight are elected by the Board of Governors for staggered four-year terms, four are appointed by the governor to staggered four-year terms, while the president of the institution’s student government serves as an ex-officio member.<sup>71</sup> Each institution is headed by a chancellor, who is chosen by the

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<sup>66</sup> *Id.*

<sup>67</sup> *UNC General Administration*, <http://www.northcarolina.edu/content.php/pres/index.htm> (Last visited Mar. 29, 2009).

<sup>68</sup> See *id.* (Click on link entitled “Bowles Bio”).

<sup>69</sup> *UNC General Administration*, *supra* Note 67

<sup>70</sup> North Carolina General Statutes §116-31 (enacted 1971).

<sup>71</sup> *Id.*

Board of Governors on the president's nomination, and who is directly responsible to the president, as well.<sup>72</sup>

#### **E. Wisconsin – The University of Wisconsin System**

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The University of Wisconsin system was created in 1971 by the Wisconsin State Legislature, merging the state's two public university systems under a single Board of Regents.<sup>73</sup> The legislation, which was passed by only one vote in the Wisconsin Senate, combined the former University of Wisconsin with the former Wisconsin State Universities.<sup>74</sup> The current system governs all public higher institutions across the state, including 13 universities, 13 two-year colleges, and an extension program with offices in all 72 counties.<sup>75</sup> Each university within the system is known as the “University of Wisconsin-,” followed by the location or name of the university.<sup>76</sup>

The system educates more than 173,000 students each year across its 26 campuses, and it employs more than 32,000 faculty and staff.<sup>77</sup> Further, the system operates on a \$4.5-billion annual budget, with state funding accounting for approximately 25 percent of that budget; gifts, grants, and contracts account for another \$1.4 billion worth of funding each year.<sup>78</sup>

The Board of Regents consists of 18 members, 16 of whom are appointed by the Governor, subject to confirmation by the Senate.<sup>79</sup> Of these 16 members, 14 serve staggered seven-year terms; the other two positions are given to students, who serve two-year terms.<sup>80</sup> Additionally, the state's Superintendent of Public Instruction and the President of the Wisconsin Technical College System Board serve as ex-officio members of the Board.<sup>81</sup>

The Board has broad governing authority, and is assigned various responsibilities, including:

- Establishing policies and rules for governing the system;
- Future planning;

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<sup>72</sup> *Id.*

<sup>73</sup> *History & Organization of the University of Wisconsin System*, <http://www.wisconsin.edu/about/history.htm> (Last visited Mar. 30, 2009).

<sup>74</sup> *Id.*

<sup>75</sup><sup>76</sup> *Id.* Among these institutions, the University of Wisconsin-Madison (which also serves as the flagship of the UW system) and the University of Wisconsin-Milwaukee are both research universities that grant doctoral degrees. *Id.*

<sup>76</sup> *Id.* UW educates more than 173,000 students each year across its 26 campuses, and its extension programs have reached more than one million Wisconsin citizens. *Campuses*, <http://www.wisconsin.edu/campuses> (Last visited Mar. 30, 2009).

<sup>77</sup> *About UW System*, <http://www.wisconsin.edu/about> (Last visited Mar. 30, 2009).

<sup>78</sup> *Id.*

<sup>79</sup> *History & Organization*, *supra* Note 73.

<sup>80</sup> *Id.*

<sup>81</sup> *Id.*

- Setting admission standards and policies;
- Reviewing and approving university budgets;
- Establishing a regulatory framework that allows the greatest degree of autonomy possible to each member institution;
- Appointment (and removal) of the president of the university system;
- Appointment (and removal) of the chancellors of each of the 13 universities;
- Appointment (and removal) of the deans who head each of the 13 two-year colleges; and
- Granting tenure appointments to faculty members.<sup>82</sup>

The Board meets monthly, and the regents serve without pay.<sup>83</sup> Each June, the Board elects a president, a vice-president, and a secretary, each for a one-year term.<sup>84</sup> The president and chancellors within the system report directly to the Board, and are charged with the following tasks:

- Implementation of Board policies; and
- Administration of the institutions.<sup>85</sup>

The current system president – Dr. Kevin P. Reilly – has been serving in this capacity since 2004, and is only the system’s sixth president since its inception in 1971.<sup>86</sup> Dr. Reilly previously served as Chancellor of UW’s Extension services prior to beginning his current tenure, and has also served in the State University of New York system, both as Associate Provost for Academic Programs and as Secretary of the University.<sup>87</sup>

The president is given authority over an administrative staff, which is headquartered in Madison, and which assists the Board both in establishing policies and development planning for the system.<sup>88</sup> The chancellors, meanwhile, serve as the executive leaders of their respective institutions, and set standards for the following activities:

- Campus administration;

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<sup>82</sup> *Id.*

<sup>83</sup> *Id.*

<sup>84</sup> *Id.*

<sup>85</sup> *Id.*

<sup>86</sup> *Biography*, <http://www.uwsa.edu/president/bio> (Last visited Mar. 30, 2009).

<sup>87</sup> *Id.*

<sup>88</sup> *Id.*

- Curriculum design;
- Degree requirements;
- Academic standards;
- Grading systems;
- Faculty appointments;
- Evaluation, promotion, and recommendations for tenure; and
- Budget management.<sup>89</sup>

Faculty members are also given specific powers within the 1971 legislative act. More specifically, the faculty of each institution:

[S]ubject to the responsibilities and powers of the board, the president and the chancellor of each institution, shall be vested with responsibility for the immediate governance of such institution and shall actively participate in institutional policy development. As such, the faculty shall have the primary responsibility for academic and educational activities and faculty personnel matters. The faculty of each institution shall have the right to determine their own faculty organizational structure and to select representatives to participate in institutional governance.<sup>90</sup>

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<sup>89</sup> *Id.*

<sup>90</sup> *Id.*



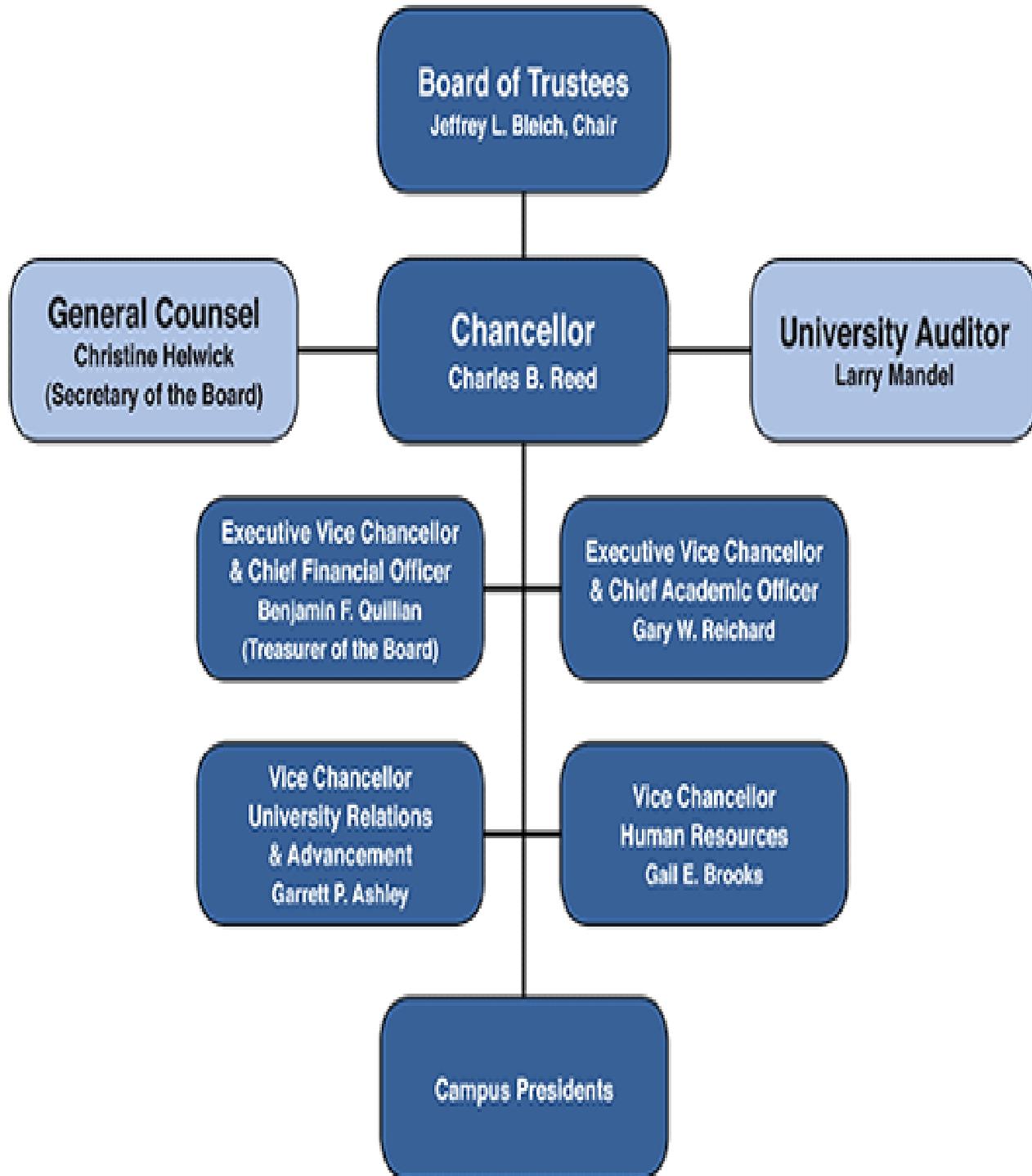
## APPENDIX A



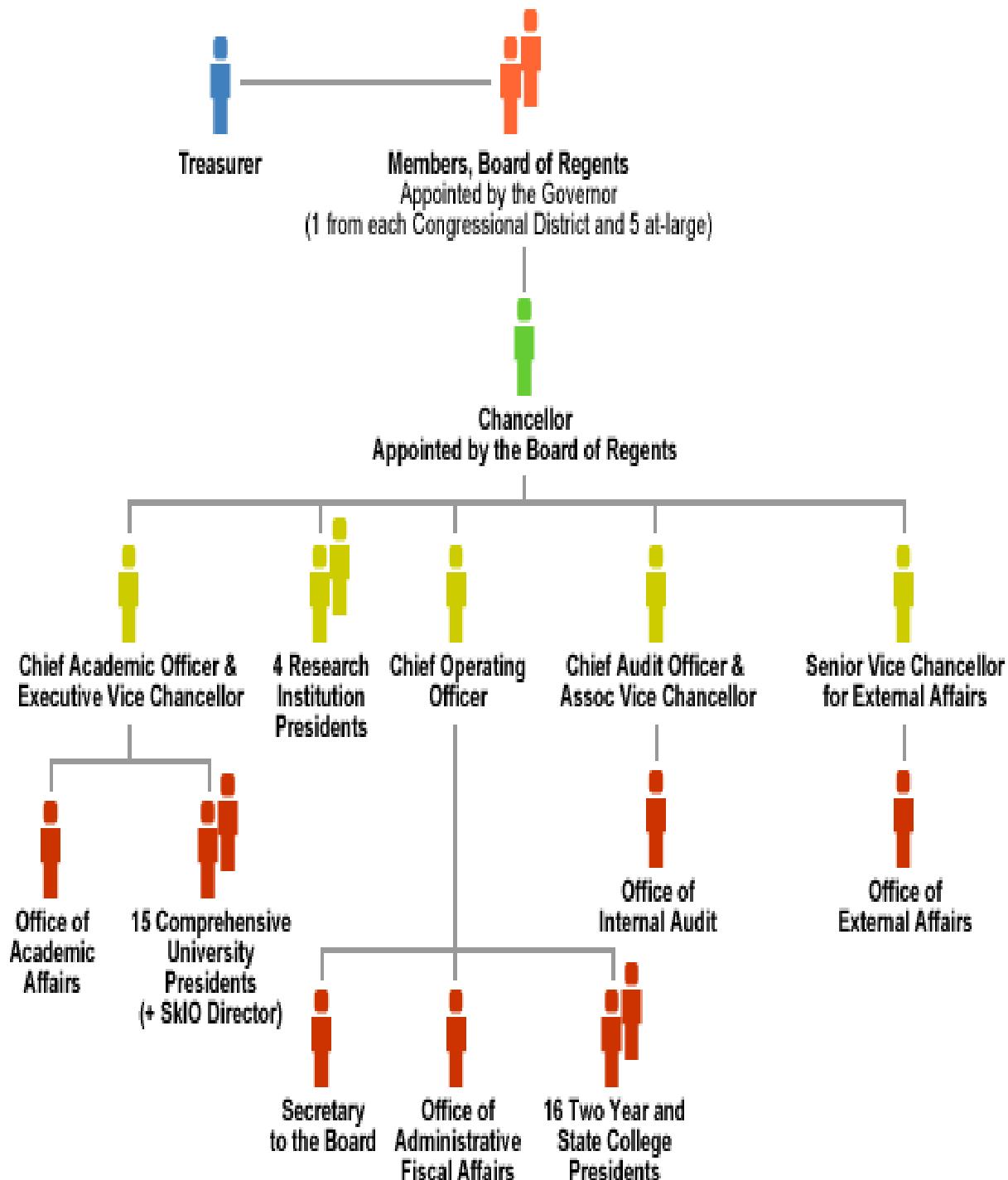
**Map of Campuses:  
Cal-State University**

Courtesy of:  
<http://www.assist.org>.

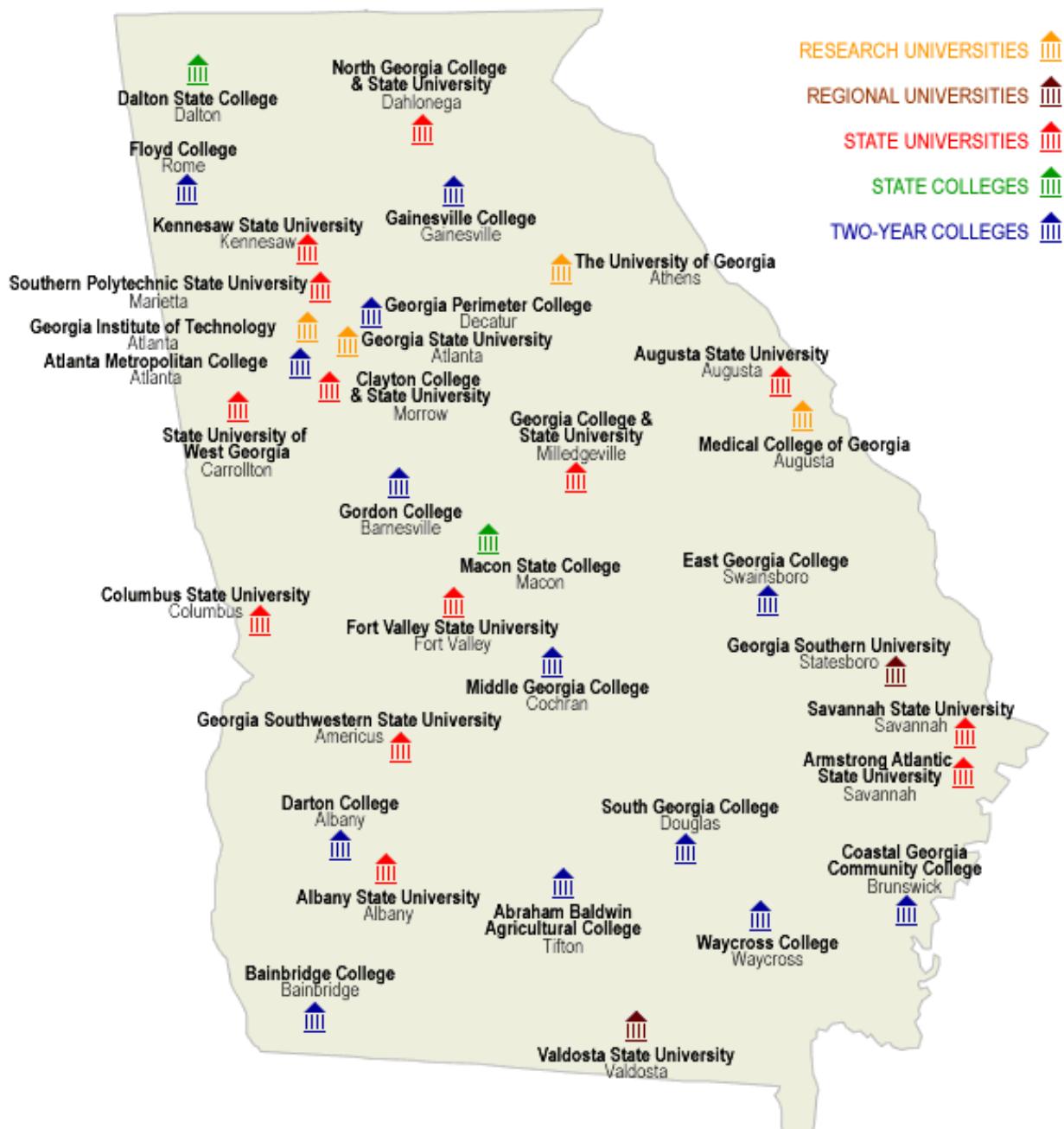
## APPENDIX B



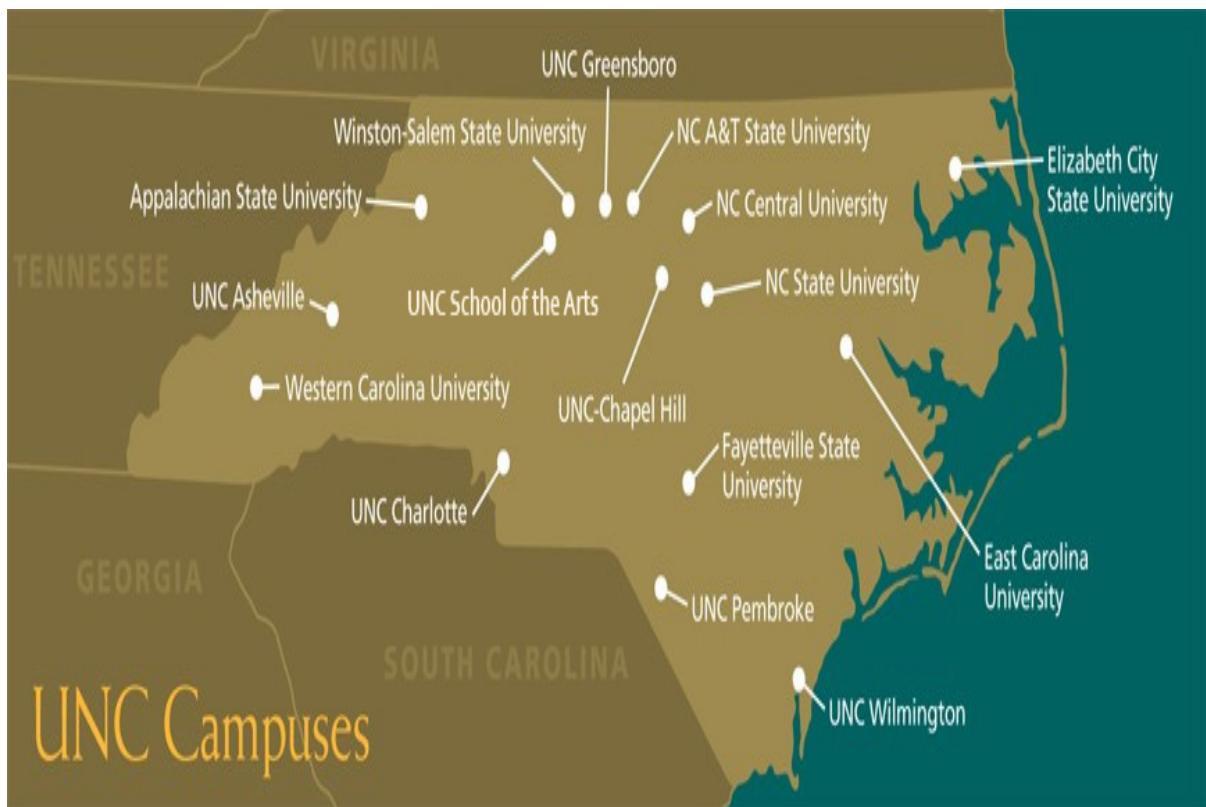
## APPENDIX C



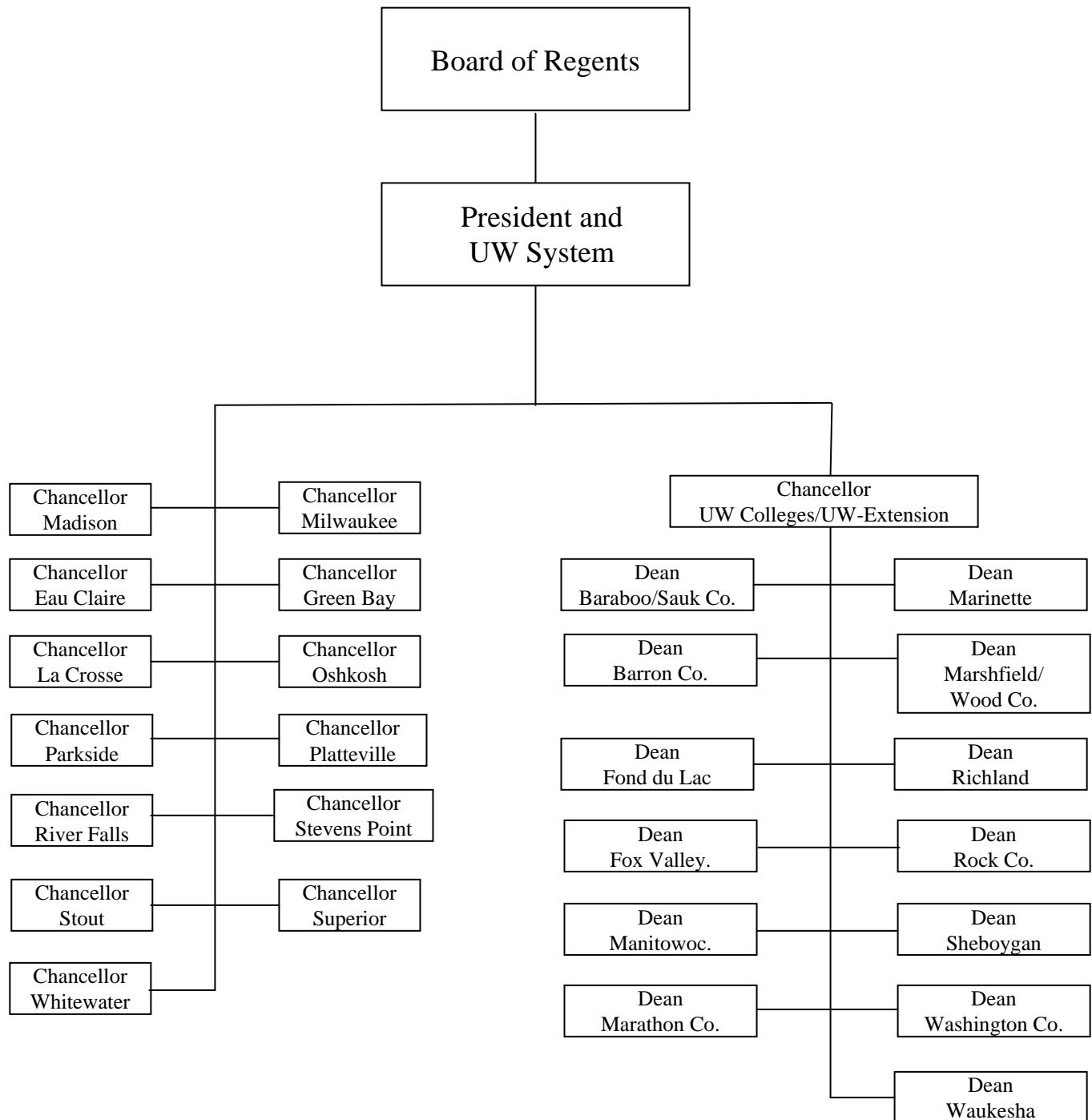
## APPENDIX D



## APPENDIX E



# The University of Wisconsin System



Universities

Two-Year Colleges

# **University of Wisconsin System**

