

## Context: Governance and Policy Development and Oversight among Michigan’s Public Universities

### *State Constitutional Autonomy Granted to Michigan’s Public Universities*

Under Michigan’s Constitution, public universities have constitutional autonomy. Article VIII, Section 5 of Michigan’s Constitution of 1963 reads:

*Each board shall have general supervision of its institution and the control and direction of all expenditures from the institution’s funds.*

Constitutional autonomy enables Michigan’s public universities to be governed in a manner that allows individuals who are well versed in higher education policy issues to make governance decisions for the institutions. Constitutional autonomy was first granted to the University of Michigan in 1850. As other public universities were created and subsequent constitutions adopted by the people of the State of Michigan, constitutional autonomy was continued as the most effective and appropriate method of governance for the state’s public universities.<sup>1</sup>

Constitutional autonomy is an essential component of the success of higher education in Michigan. While some states have organized their higher education institutions into a centralized, bureaucratic system, and other states have governing boards of higher education, Michigan has successfully maintained the autonomy and independence of each public university. The lack of excessive state-level bureaucracy permits Michigan’s public universities to be nimble and to govern more expeditiously and efficiently.

### *Institutional Oversight by Appointed and Elected Governing Boards*

All of the state’s public universities are overseen by governing boards consisting of a diverse array of leaders with expertise and experience in the private and non-profit sectors. The Governor of Michigan appoints the members of the governing boards of the state’s public universities, except for those at Michigan State University, the University of Michigan, and Wayne State University, who are elected via statewide popular elections. Appointed members are also subject to the advice and consent of the Michigan Senate. Regardless of the selection process, all governing boards have eight members serving staggered eight-year terms, with the university presidents serving as an ex-officio member of the board. Each board carries a popular mandate to govern, whether delegated directly from the citizens or through the Governor.

The elected and appointed governing boards are charged with overseeing key university policy and fiscal matters involving such issues as institutional expenditures, student enrollment, academic programs, tuition and financial aid, and capital projects. They are

also responsible for upholding core principles that are integral to American higher education, such as academic freedom, academic integrity, shared governance, and freedom of speech and of expression.

### ***Public University Collaboration with the Governor and Legislature***

Although Michigan's public universities have constitutional autonomy, they collaborate extensively with the Governor, state legislature, and state agencies on policy and programmatic initiatives to address a variety of opportunities, challenges, and needs facing the state. These include issues related to workforce development, economic development, K-12 education, health care, the environment, and public safety, to name a few. Institutional collaboration with state government is especially concentrated on issues of state funding of university operations, state student financial aid programs, and capital outlay financing. On issues related to the core educational missions of the public universities, the institutions interface extensively with policymakers and state officials to ensure that state policy formulation is done in a manner that best serves the interests of the state and its citizens.

As the coordinating board for the state's public universities, the Michigan Association of State Universities also interfaces extensively with the legislature, the Governor's Office, and other state officials in fostering policy to maximize the collective value these institutions provide in serving the public interest and the state of Michigan.

### ***Accountability for State Resources and Public University Stewardship***

Article VIII, Section 4 of the Michigan Constitution directs public universities to provide "an annual accounting of all income and expenditures by these educational institutions." Additionally, recognizing the importance of community and public input into the university decision-making process, Section 4 requires that "formal sessions of governing boards of such institutions shall be open to the public." Thus, the state's public universities continue to be accountable to citizens and their elected representatives.

Through established state law, the state's public universities provide dozens of reports annually that summarize a variety of institutional inputs and outcomes. An expansive array of budgetary and policy documents, meeting minutes, and other institutional records are publicly available via the universities' websites. Thousands of pages of additional documents are provided by the universities to reporters and the public each year through Freedom of Information Act requests. The high volume of federal regulatory requirements, especially those required by institutional participation in federal student financial aid programs, bolster state and governing board accountability mechanisms involving public universities. Further yet, institutional and programmatic accreditation processes provide additional external assurance of quality, integrity, and compliance across all aspects of university operations.

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<sup>i</sup> Background on Michigan Constitutional autonomy and institutional governing board oversight adopted from *Michigan's Higher Education System: A Guide for State Policymakers* (2003), sponsored by Ferris State University and prepared by Public Sector Consultants, and made available to all Michigan universities. Viewable at: [http://www.masu.org/portals/0/docs/fsu\\_heguide2.pdf](http://www.masu.org/portals/0/docs/fsu_heguide2.pdf).