

What Role Does the State Play in Public Higher Education?



The State Exercises Varying Levels of Authority Over California's Public Colleges and Universities

- ***The State Constitution Established the University of California (UC) as a "Public Trust" in 1878.*** The Constitution confers on UC's Board of Regents significant powers to organize and govern the university, such as setting student fee levels, establishing admissions criteria, and approving academic degree programs.
 - Nevertheless, the courts have held that the Legislature has discretion over UC operations through such means as the appropriation of state funds to the university.
- ***The Legislature Established the California State University (CSU) System as Part of the Master Plan for Higher Education in 1960.*** The CSU's Board of Trustees exercises broad power over the university's day-to-day operations and administration, similar to the powers exercised by the UC Regents as described above.
 - Because the Trustees' powers are conferred by statute (rather than the Constitution) the Legislature can modify those powers or impose new requirements on CSU at its discretion.
 - For example, in 2004 the Legislature required CSU to streamline its process for community college transfer students to earn baccalaureate degrees, and in 2005 it authorized the CSU to offer the Doctor of Education (Ed.D.) degree.
- ***The Legislature Established the California Community College (CCC) System in 1967.*** The CCC system was established in statute. Individual districts are largely governed by locally elected Boards of Trustees, with additional direction from a state Board of Governors.
 - State law and annual budget acts are more prescriptive for CCC than they are for UC and CSU. For example, unlike UC and CSU, the Legislature specifies the proportion of full-time to part-time faculty for CCC.

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The Legislature Exercises Authority Through the Budget Process

- The state provides about two-thirds of the funding (in General Fund and Proposition 98 funding) used to support the three segments' core educational missions. The Legislature, therefore, determines how much funding will be provided to each of the higher education segments each year in the budget act.
- Although various funding formulas and guidelines exist in regulations and in statute, the Legislature has the power to appropriate any level of funding it deems appropriate.



The Legislature Must Balance Delegation of Authority With Accountability From the Segments

- Although the Legislature provides broad authority to UC and CSU over academic affairs, it monitors the segments' performance to ensure their actions are consistent with legislative priorities.
- For example, although the state allows the segments to make their own choices about offering various academic programs, the Legislature plays a critical role to ensure those programs meet the Legislature standards for quality and access.
- In addition, the state sometimes appropriates funding for specific purposes—such as enrollment growth and deferred maintenance. It is important in these cases for the Legislature to monitor the segments' use of these funds.
- In recent year, there has been growing interest in assessing how well higher education outcomes align with state needs.