

## An Introduction to Wisconsin Postsecondary Education Governance

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This paper provides a brief overview of the public postsecondary education system in Wisconsin. It describes the current governing arrangements with the University of Wisconsin System (UWS), Wisconsin Technical College System (WTCS), and state legislative bodies and executive agencies. Instead of focusing on specific campuses, it offers an overview of the broader postsecondary education landscape in the state.

To that end, the paper introduces readers to the various state-level stakeholders shaping and informing postsecondary education policy across Wisconsin. Understanding these relationships is important because governance systems ultimately affect college affordability, accountability, and progress towards meeting educational goals. Furthermore, as these relationships are dynamic and change over time, the paper identifies key governmental agencies involved in shaping how the system evolves.

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## Postsecondary Education Governance in Wisconsin

### Wisconsin Technical College System Board

The Wisconsin Technical College System (WTCS) Board is a statewide coordinating board for Wisconsin’s public technical colleges. The board is charged with regulating campus educational programs, authorizing budgets, overseeing state and federal grants, and developing plans that cover all of the state’s technical college districts.<sup>1</sup> The board appoints the WTCS president, who directs the WTCS administration and is charged with implementing the board’s policies.<sup>2</sup> Chapter 38 of Wisconsin state statute defines the role and powers of the WTCS board and all parties involved in its governance.

The WTCS Board has 13 members:

- Six public members, appointed by the governor;
- Four representatives: one employer, one employee, one farmer, and one student; these are also appointed by the governor;
- Three ex-officio members: the Superintendent of Public Instruction, the Secretary of the Department of Workforce Development, and the President of the University of Wisconsin System Board of Regents, or their designees.

WTCS is divided into 16 districts (see map, p. 3), spanning every county.<sup>3</sup> Separate from the WTCS Board, each local district board maintains executive control of their district’s schools and property.<sup>4</sup> Each district board<sup>5</sup> is composed of nine members, appointed by a district appointment committee and approved by the WTCS Board:

- Two employers;
- Two employees;
- One state or local elected official;
- One school district administrator;
- Three members at large (community members).

### University of Wisconsin System Board of Regents

The UWS Board of Regents is a consolidated governing board charged with overseeing the affairs of all UWS colleges and universities, allocating state funding, and approving academic programs. The Board of Regents appoints the UWS president, who directs the UWS administration and is charged with implementing the board’s policies.<sup>6</sup> Chapter 36 of Wisconsin state statute defines the role and powers of the UWS administration; specifically, section 36.09 enumerates the governance powers of UWS leaders; administrators at individual institutions; and shared governance groups representing faculty, staff, and students on each campus. The Board of Regents governs 13 UW universities, 13 UW colleges, and UW–Extension (see map, p. 3).

The UWS Board of Regents has 18 members:

- 14 citizen regents, appointed by the governor;
- Two student regents, appointed by the governor;
- The Superintendent of Public Instruction or designee;
- The President of the WTCS Board or designee.

## Postsecondary Education and the Executive Branch

Within the executive branch, there are several state agencies, commissions, and public authorities shaping or implementing postsecondary education policies in Wisconsin. Some of these entities focus solely on postsecondary issues, while others have postsecondary education as one of several policy areas demanding attention. Regardless of how involved they are with postsecondary education, these entities operate independently from the UW and WTCS systems and derive their authority from other state statutes, the state constitution, court rulings, or executive orders.<sup>7</sup>





The following entities have postsecondary education as one of many policy areas:

- **Governor’s Office:** As head of the executive branch, the governor plays a key role in setting the state’s postsecondary education policy agenda. In addition to appointing 26 of the 31 UWS and WTCS board members, the governor’s office shapes policy through the biennial budget process. To prepare the budget, the governor’s office (in coordination with the Department of Administration) solicits budget requests from all state agencies (including UWS and WTCS) and then proposes a state budget to the legislature.<sup>8</sup> This budget can include policy changes, such as creating performance-based funding for WTCS, freezing tuition for the UWS, or eliminating collective bargaining rights for UWS faculty and academic staff.<sup>9</sup>
- **Department of Administration (DOA):** One of the state’s largest departments, the DOA has several divisions, boards, and offices responsible for a wide range of administrative duties.<sup>10</sup> The *Division of Executive Budget and Finance* prepares and executes the governor’s biennial budget and administers (with the College Savings Program Board) the state’s college savings programs.<sup>11</sup> Two divisions oversee capital projects and the maintenance/renovation of state-owned campus buildings: the *Division of Facilities Development* and the *Division of Facilities Management*. The *Office of State Employment Relations* is responsible for human resources policies affecting classified state employees and for establishing equal employment opportunity policies for all state employees.<sup>12</sup> The Secretary of Administration is appointed by the governor, as are the directors of the various divisions and offices.
- **Department of Public Instruction (DPI):** This state agency is headed by the State Superintendent of Public Instruction, a constitutional officer elected on a nonpartisan ballot in four-year terms.<sup>13</sup> While the majority of DPI’s work focuses on elementary and secondary education, the agency coordinates dual-enrollment policy between K-12 and

postsecondary education and is home to the 30-member Wisconsin PK-16 Leadership Council.<sup>14</sup> To connect DPI with postsecondary education, the State Superintendent (or their designee) serves as an ex-officio member of the WTCS and UWS boards.

- **Department of Workforce Development (DWD):** Headed by the Secretary of Workforce Development, who is appointed by the governor, DWD operates worker training grants and vocational rehabilitation programs, administers unemployment insurance, and provides other state agencies and employers with information about labor market trends.<sup>15</sup> Due to its close connection with the labor market, DWD primarily interacts with the technical college system.<sup>16</sup>

The following entities focus on postsecondary education as their sole policy area:

- **Higher Educational Aids Board (HEAB):** An 11-member board charged with managing and overseeing state financial aid programs.<sup>17</sup> The board establishes policies for state need and merit-based grants, and it performs student loan collection services. The board also establishes interstate agreements, including tuition reciprocity agreements with Minnesota.<sup>18</sup> All members are appointed by the governor.
- **Educational Approval Board (EAB):** A seven-member board charged with inspecting and approving private, for-profit trade schools doing business in Wisconsin.<sup>19</sup> The board’s primary responsibility, established in section 38.50 of Wisconsin state statutes, is to establish rules and operating standards for these schools in order to protect students from fraud and deceptive practices.<sup>20</sup> All seven members of the board are appointed by the governor.<sup>21</sup>



## Postsecondary Education and the Legislative Branch

The Wisconsin State Legislature, made up of the 33-member Senate and the 99-member Assembly, serves as the legislative branch of Wisconsin state government. Each chamber has a postsecondary education committee, which is typically chaired by the most senior member of the majority party. The ranking member of the committee is typically the most senior member of the minority party.

- **Committee on Colleges and Universities:** This 13-member standing committee in the Assembly is assigned by the Speaker of the Assembly. During the legislative session, the committee holds public hearings on Assembly bills pertinent to a number of postsecondary education issues, including (but not limited to): student financial aid, open records requirements, university procurement policies, taxing authority of district boards, and course availability.
- **Committee on Universities and Technical Colleges:** This five-member standing committee in the Senate is assigned by the Senate Organization Committee. Like the Assembly Committee on Colleges and Universities, it holds public hearings on Senate bills pertaining to public postsecondary education policy. The committee also holds informational hearings on postsecondary education innovations occurring within UWS and WTCS that inform policymakers on the progress of implementing specific reforms (e.g., UW Flex Option)<sup>22</sup> or of ongoing needs among the campuses.
- **Joint Committee on Finance:** This 16-member standing committee reviews the governor's biennial budget that funds all state agencies, including UWS and WTCS. It also reviews other fiscal bills, bills with emergency clauses, emergency appropriations, and changes in authorized position levels.<sup>23</sup> The Legislative Fiscal Bureau (see below) staffs this committee, and all committee members are appointed by the Speaker of the Assembly or by the Senate Majority Leader.

## Postsecondary Education and Service Agencies

Several state service agencies produce reports and conduct policy research on state postsecondary education policy issues. These agencies are designed to serve a number of functions, namely technical assistance, auditing, and accountability across multiple policy areas.

- **Legislative Fiscal Bureau (LFB):** The LFB staffs the Joint Committee on Finance and conducts long-range planning on the fiscal implications of proposed legislation. It estimates the fiscal impact of various bills in order to help guide the Joint Committee's decision-making process. It also produces informational papers on a number of policy areas including postsecondary education governance and finance.<sup>24</sup> The Joint Committee on Legislative Organization selects the bureau's director, but the bureau is otherwise staffed by classified personnel.<sup>25</sup>
- **Legislative Audit Bureau:** This nonpartisan bureau conducts program evaluations, financial audits, and investigations into various state agencies including UWS and WTCS. Their reports produce a wide range of information about agency operations, including reviews of financial transactions and agency performance.<sup>26</sup> The bureau reports to the Joint Legislative Audit Committee; the state auditor heads this bureau and is appointed by the Joint Committee on Legislative Organization.<sup>27</sup>
- **Legislative Reference Bureau (LRB):** The LRB is charged with drafting and preparing all bills introduced to the state legislature, including the executive budget. The bureau also publishes the Wisconsin Statutes, summaries of each legislative session, and informational reports on a wide range of public policy issues including higher education. The LRB is a nonpartisan professional service agency, whose bureau chief is appointed by the Joint Committee on Legislative Organization.<sup>28</sup>



- **Wisconsin Legislative Council:** The 22-member Joint Legislative Council creates standing committees, and the Wisconsin Legislative Council staff provides legal guidance to these committees and joint legislative committees. The Legislative Council staff also prepare reports, conduct research, and write information memos and briefing books for legislators and the public (see Chapter 13 of the 2017-2018 briefing book for information on postsecondary education).<sup>29</sup> The Joint Committee on Legislative Organization appoints the staff director.<sup>30</sup>

## Conclusion

The purpose of this paper is to provide readers with a broad representation of the major governmental agencies that make up Wisconsin's postsecondary education system, their key functions, and how they interact with one another. Documenting this information is useful for understanding the many sources of higher education policymaking at the state-level. You can find additional information about these entities in the end notes of this report.



## End Notes

- 1 For more information, see the Technical College System Board's state Administrative Code here: <https://docs.legis.wisconsin.gov/code/toc/tcs>, and its most recent Policy Manual: <http://www.wtcsystem.edu/wtcsexternal/cmspages/getdocumentfile.aspx?nodeguid=ac9ecfed-1e65-4d4e-acb6-dbd77b9ca088>
- 2 Currently, Morna Foy is the system president: <http://www.wtcsystem.edu/about-us/governance/policy-overview/about-the-system-office>
- 3 See page 483 of the Wisconsin Blue Book 2015-2016 for more information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 4 Ibid.
- 5 Except for Milwaukee County, which requires five employers (three of whom must have 15 or more employees), one school district administrator, one elected official, and two additional members. See page 486 of the State of Wisconsin Blue Book, 2015-2016 for more detail: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 6 Currently, Ray Cross is the system president: <https://www.wisconsin.edu/president/about/biography>. Informational Paper 32. [http://docs.legis.wisconsin.gov/misc/lfb/informational\\_papers/january\\_2017/0032\\_university\\_of\\_wisconsin\\_system\\_overview\\_informational\\_paper\\_32.pdf](http://docs.legis.wisconsin.gov/misc/lfb/informational_papers/january_2017/0032_university_of_wisconsin_system_overview_informational_paper_32.pdf)
- 7 For example, the Department of Public Instruction receives its authority from the state constitution and from various sections of state code. See State of Wisconsin Blue Book, 2015-2016, page 458, for more detail: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 8 See the Wisconsin Budget Process webpage for more information: <http://www.wisconsinbudgetproject.org/budget-toolkit/the-wisconsin-budget-process>
- 9 See 2013 Wisconsin Act 20 (the biennial budget for 2013-15) for more details about outcomes-based funding for WTCS, as summarized here: <http://www.wtcsystem.edu/initiatives/performance-funding>. For a general introduction to the UWS tuition freeze, see <http://www.jsonline.com/news/statepolitics/scott-walker-proposes-uw-tuition-freeze-much-smaller-funding-increase-ns9v8bm-207619231.html>. See Secunda's "The Wisconsin Public-Sector Labor Dispute of 2011" in the American Bar Association's Journal of Labor and Employment Law for more details on Act 10: <http://heinonline.org/HOL/Page?handle=hein.journals/lablaw27&div=25&id=&page=&collection=journals>
- 10 For more information, see page 349 of the Wisconsin Blue Book 2015-2016: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 11 For more information about the state's college savings plan, see: <http://529.wi.gov/> and the State of Wisconsin Investment Board (SWIB), which (under state statute 16.64(10)(b)) is responsible for investing money held in the EdVest Tuition Trust Fund: <http://www.swib.state.wi.us/list-of-investments>
- 12 For more information, see page 366 of the Wisconsin Blue Book 2015-2016: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 13 See page 458 of the Wisconsin Blue Book 2015-2016 for more information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 14 However, this Council has not convened since 2010.
- 15 See page 522 of the Wisconsin Blue Book 2015-2016 for more information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 16 Ibid.
- 17 These programs include: Wisconsin Higher Education Grants, Tuition Grants, Wisconsin Covenant, Talent Incentive Grant, Indian Student Grant, Handicapped Student Grant, Minority Retention Grant, Academic Excellence Scholarship, John R. Justice loan repayment grant program and various loan programs (Minority Teacher Loans, Nursing Loan Program, Teacher of the Visually Impaired, and Teacher Education Loan, Wisconsin Health Education Loan Program). Two programs are funded through tribal gaming revenues (instead of general purpose revenue dollars): Indian Student Assistance Grant and Wisconsin Higher Education Grant for Tribal College Students.
- 18 See page 417 of the 2015-2016 Blue Book for additional information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 19 Section 38.50 of the Wisconsin Statutes defines which schools are subject to EAB oversight. See the following document for more details: <http://eab.state.wi.us/board/wis38.pdf>
- 20 Ibid.



- 21 See <http://eab.state.wi.us/board/board.asp>, and page 488 of the 2015-2016 Blue Book for additional information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/600\\_executive\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/600_executive_branch.pdf)
- 22 See meeting minutes from Wednesday, November 6, 2013: <http://docs.legis.wisconsin.gov/raw/cid/999798>
- 23 For more details, see Wisconsin Joint Committee on Finance here: <http://docs.legis.wisconsin.gov/2017/committees/joint/1680>
- 24 See the following page for these papers: [http://docs.legis.wisconsin.gov/misc/lfb/informational\\_papers/january\\_2017](http://docs.legis.wisconsin.gov/misc/lfb/informational_papers/january_2017)
- 25 See page 287 of the Wisconsin Blue Book 2015-2016 for more information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/500\\_legislative\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/500_legislative_branch.pdf)
- 26 See, for example, the recent audit of the University of Wisconsin System: <http://legis.wisconsin.gov/lab/reports/14-3full.pdf>
- 27 See: <http://docs.legis.wisconsin.gov/2015/committees/joint/1390>
- 28 See page 287 of the the Wisconsin Blue Book here: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/500\\_legislative\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/500_legislative_branch.pdf)
- 29 2017-18 Briefing Book, Chapter 13: [http://docs.legis.wisconsin.gov/misc/lc/briefing\\_book/ch13\\_education.pdf](http://docs.legis.wisconsin.gov/misc/lc/briefing_book/ch13_education.pdf)
- 30 See page 272 of the Wisconsin Blue Book 2015-2016 for more information: [http://docs.legis.wisconsin.gov/misc/lrb/blue\\_book/2015\\_2016/500\\_legislative\\_branch.pdf](http://docs.legis.wisconsin.gov/misc/lrb/blue_book/2015_2016/500_legislative_branch.pdf)



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