

RELATIONSHIPS BETWEEN THE PROVINCIAL GOVERNMENT
AND POST-SECONDARY INSTITUTIONS IN MANITOBA:

A DISCUSSION PAPER

For Internal Use Only

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This paper will provide a brief overview of the current status of post-secondary governance in Manitoba and an indication of Canadian trends. In addition, the assumptions of the paper will be discussed, as will a number of policy considerations. Following the discussion, three models of governance will be outlined. The recommendations of the paper follow the models, but encompass recommendations for action derived from more than one of the three basic model types.

I. OVERVIEW OF CURRENT STATUS

1. Community Colleges:

- Manitoba's three community colleges are governed directly by the Department of Education, through the Post-Secondary, Adult and Continuing Education Division. College Councils function in an advisory capacity on internal matters.
- Community college governance in Canada takes one of two basic forms: (i) governance directly by a provincial government; (ii) governance through a college board. The latter is the more common.
- In many cases, indirect control is maintained by the province through control of funding and program approval. The province may also have the direct authority to appoint board members.

2. Universities:

- In Manitoba, the Universities Grants Commission (UGC) serves as a "buffer" agency between the provincial government and the province's three universities. It channels university funding and oversees fiscal arrangements. Statutory authority over tough issues, such as the elimination of programs, is seldom exercised.
- The University of Manitoba is governed by a specific act. Internal administration consists of a two-tiered system: Board of Governors and a Senate. In comparison, the Universities of Winnipeg and Brandon were both established by orders-in-council under the Universities Establishment Act. Administration is two-tiered in both cases; the University of Winnipeg having a Board of Regents and a Senate; Brandon University having a Board of Governors and a Senate.

- All provinces, except Alberta and Newfoundland, interact with universities through buffer agencies similar to the Universities Grants Commission. The agency may interact with the government through a Department of Education.
- Most Canadian universities employ a two-tiered system of internal governance, with a Board of Governors as the supreme governing body and a Senate as the highest academic body.

II. ASSUMPTIONS

This paper is based on a number of assumptions which affect the recommendations it contains.

1. A post-secondary governance system should encompass the following principles:
 - a) government should be able to control its portion of post-secondary costs;
 - b) the post-secondary system should be structured to respond rapidly and effectively to emerging needs;
 - c) there should be broadly-based and effective community input into the system; and,
 - d) the system should be structured to encourage co-operation among institutions in order that a range of programs may be provided to all Manitobans.

This paper assumes that, currently, the post-secondary system is not firmly based on these principles.

2. Any changes to the system should be realistic in terms of traditions, history of the institutions, and institutional constraints. Any new policy should not require action which the institutions, by their nature, are unable to perform.
3. Establishing a revised post-secondary system should require a minimum of legislative change.
4. Recommendations should be developed for changes which, within the basic principles outlined, will meet with a minimum of resistance from both the institutions and the general public.

III. POLICY CONSIDERATIONS

A number of issues warrant discussion before the presentation of options for post-secondary governance.

1. Government Control: This is undoubtedly one of the major issues concerning post-secondary governance. The two basic questions are: (1) To what degree should the provincial government control post-secondary institutions? (2) How can control be achieved?

Appropriate to the discussion of these questions, is some separate consideration of the universities and community colleges.

Universities: The goal of government control of university expenditures can best be achieved if the government funds the universities directly, rather than through a buffer such as the UGC. Such a change is unlikely to provoke any protest, as the institutions already view the UGC as ineffectual in this regard, and the public is largely unaware of the Commission's existence or role.

Theoretically, an alternative would be to abolish the universities' current governing structure and make them part of government. However, from every practical point of view, such an option is out of the question.

Control of costs is related to decisions about programs. The UGC has generally not exercised very much control over university programs; its chief approach - and it is a useful one - has been to urge the development of co-operative programs among the universities. It is not at all evident that the government should undertake a very direct role in determining university programs. There are powerful factors of university autonomy and government capacity which argue against such a role. On the other hand, it is clear that government has a vital concern in at least some areas of university programming to ensure that broader social policy concerns are being addressed. As well, government has an interest in limiting the extent to which programs are duplicated within the province, and in promoting the provision of co-operative and innovative programming.

Community Colleges: The basic control issue for the community college sector is whether to retain the colleges as part of the government, or to turn them into independent or quasi-independent bodies.

Control of costs is more straightforward when the colleges are within the Department, as their budgets are directly controlled. In addition, decisions about program changes can also be made directly by government. Given the degree of negotiation with the Federal government over college programs and funding, there would have to continue to be a provincial role in determining college programs, regardless of governance structures. For example, the province could conduct negotiations and then purchase the required services from the institutions.

Central control of the colleges has also reduced competition and duplication of efforts among the colleges. Should the colleges be made independent, it will be important to avoid some of the problems which independence has created in the university sector, such as: insensitivity to community needs; lack of accountability; and, pursuit of institutional objectives at the expense of public objectives.

All Post-Secondary Institutions: The issue of control involves both funding and program control. Restrictions on funding provide a way in which governments retain control of post-secondary institutions. The degree of control can be regulated by tying money to programs, as in the case of incentive funding. Governments can gain greater control of post-secondary institutions by reviewing programs. If governments have the right to approve new programs and discontinue existing ones, they can increase the degree of control, if indeed this is the intent. However, it should be noted that, although this is a control mechanism, it still allows the institutions, not the government, to set the agenda.

Government could adopt two approaches simultaneously, which affect both funding and programs. One is direct incentives for particular programs, as has been done in the case of several core area and northern programs. At the same time, a neutral and independent body could have a useful role to play in reviewing programs, ensuring appropriate co-operation, fostering innovation, and minimizing duplication. Such a body need not have any financial control; it would rely on negotiation and persuasion and would be advisory to the Minister and to the universities. If it operated without any financial control, review decisions could be made on the basis of program need and merit; the institutions themselves would continue to make decisions about priorities for funding programs in conjunction with direct incentive programs from government.

2. Relations Between the Universities and Community Colleges: This issue relates closely to the issue of government control. The principal question is: should the degree of control differ between universities and community colleges? Historically, universities have had a greater degree of autonomy, partly as a result of the concept of "academic freedom." Arguments that community colleges differ from universities as the former are "job training institutions" are not valid. Professional faculties within universities (eg. law, dentistry) are also designed for job training. Neither is this function the only objective of community colleges. With role distinctions blurring between universities and community colleges (eg. nursing programs offered at both), it would seem logical to exercise a similar degree of control over each sector. However, the reality of the situation, makes this unlikely.

Nevertheless, there is a necessity for close links between the colleges and universities for a variety of reasons, such as: the blurring of traditional distinctions between the institutions and, the need for a co-ordinated approach to adult and continuing education. One option would be to create a single post-secondary commission for both colleges and universities. The major drawback with such a proposal is that the two sets of institutions continue to have very different traditions and senses of themselves.

A second alternative would call for strong links between the sectors through their respective governing structures. For example, there could be formal representation of each sector on the other's board. There could be a formal liaison structure created for this purpose. In addition, if a program review structure were created, another forum for liaison would be established. A variety of such links would seem to provide a fuller exchange of views and plans than would a single commission, which might well be viewed with some suspicion by both colleges and universities.

3. Legislative Base for Post-Secondary Institutions: Currently, there is no consistent legislative base for post-secondary institutions within Manitoba. In fact, the University of Manitoba has a different legislative base than the other two universities. The University of Manitoba is established under the University of Manitoba Act, while the Universities of Winnipeg and Brandon are established by orders-in-council under the Universities Establishment Act.

Lack of a consistent legislative base is an issue which has been raised in the past (eg. Oliver Task Force on Post-Secondary Education). Ideally, new legislation for Brandon University and the University of Winnipeg might be desirable. However, the difficulties and the time involved in introducing new legislation makes this a low priority in cases such as these, where new legislation is not vital to the functioning of the institutions.

The case for the community colleges is somewhat different. If major governance changes are contemplated for the colleges, legislation would need to be considered. Currently, a separate act for the colleges does not exist. If they were to be changed to institutions with governing boards, either a Community College Act or an order-in-council would be required.

4. Community Involvement: A fourth policy issue for consideration is the degree of community involvement appropriate in post-secondary education. Although University Boards of Governors/Regents presently contain community representation, this vehicle may not be a particularly effective one. With increased public interest in lifelong and continuing education, and increased response to this interest by post-secondary institutions, the argument for public involvement is strengthened.

It should be remembered that, although public involvement is important, there are problems inherent in its realization. It is difficult to stimulate public involvement which is representative of the community as a whole. Interest groups, which may or may not vocalize community concerns, often become the vehicles for public involvement. Non-traditional strategies to encourage public involvement should be explored.

Although public input in the universities may be difficult to achieve, it is desirable at several levels. At the level of operations, the public has concerns about matters, such as: hours of operation; use of facilities; parking; and, access to information. At the level of programs and policies, the public has an important role in sensitizing the university to community needs so that appropriate programs can be created or modified. At the program approval level, the public has an interest in ensuring that new programs reflect community needs, as well as institutional ones. Each of these would seem to require its own structure or approach.

At the operational level the need may be met through publicly-appointed members of the boards of the universities; it may only be necessary to make those

members appointed by the government more visible, so that concerns can be directed to them. In terms of program creation, there is a need to encourage advisory groups at the faculty or department level in the universities. It is likely that this could be accomplished through a judicious combination of discussion with the universities and some small incentives; (for example, a small grants program for innovative projects developed by such advisory groups). At the program approval stage, public input could occur through the program co-ordination and review body which was suggested above, and which could be made up largely of members of the general public.

If community college governance can be designed appropriately, independent colleges could be more sensitive to community input. As decisions would no longer be subject to review and alteration all the way through the departmental and governmental decision-making process, an independent college system should also be able to respond more rapidly and more flexibly to changing circumstances. Independent colleges could also have a stronger community orientation. Structures similar to the ones suggested for universities might also be appropriate within the college system.

IV. OPTIONS

The issue of governance relates to both internal and external components. The common two-tiered system of internal governance for universities will not be discussed. It is assumed that the basic internal university governance structure will not change. Although specific changes in board composition could be considered, this is a separate issue outside the scope of this paper.

Options presented will discuss governance strategies for universities and community colleges. In addition, the implications of each option will be included. As previously mentioned, these options should be viewed as models. Recommendations for action may include components from one or more of the models presented.

Option 1: Retention of Present Status:

Retaining the present system of post-secondary governance entails retaining different systems for the university and community college sectors. The colleges would continue to function as part of the Post-Secondary, Adult and Continuing Education (PACE) Division of the Department of Education. The directors of the three colleges would continue to operate within the government structure.

If the Universities Grants Commission is retained, there need to be some adjustments made to the status quo. Although the Commission mandate has included the ability to discontinue programs it feels are redundant or useless, this has never occurred. The mandate of the Grants Commission should be reviewed, and its actions should be a reflection of its mandate. This would also entail reviewing the membership and staffing of the Commission.

Thus, if the status quo were retained it would have to be with adjustments to the basic structures. Changes should reflect a commitment to the present structures which would allow them to function as they were intended.

It should be noted that this option does not address the considerations of stronger linkages between the community college and university sectors or greater public involvement in the governance and functioning of post-secondary institutions. Also, as noted in the assumptions of this paper, the present system does not seem to respond rapidly or effectively to changing needs.

Option 2: Establishment of a Post-Secondary Commission:

Under this option a Post-Secondary Commission would be established as a new buffer agency. Both the universities and community colleges would relate to this agency. This move would necessitate a number of major changes.

The Universities Grants Commission would be abolished. A new Commission with a distinct mandate would be established. This Commission would be composed of a permanent office staff and a board with representatives from all post-secondary institutions and the public. Composition of the Board and selection of the chairperson would be critical issues requiring careful consideration.

The Commission would interact with the provincial government through a deputy or an assistant deputy minister for post-secondary education. This could force further reorganization within the Department of Education.

A greater change would occur in relation to the community colleges. The colleges would become institutions outside direct government control. A Community College Act might be appropriate. College boards would be established, similar in intent to university boards of governors.

A major concern in the college area would be whether a three college system should be maintained, or whether there should be one college with three campuses. In either case,

This branch would be responsible for the distribution of funds to the post-secondary institutions. Incentive grants are one possible option for steering the institutions in the directions deemed desirable by the provincial government. In addition, this branch would review and subsequently approve or reject new programs. Alternatively, a program review body could be established outside the actual Departmental structure. If the rationale for the program's existence has disappeared, the body could be given the power to discontinue the program. This might be viewed as an infringement by the universities, although technically the Universities Grants Commission has such authority at the present time.

Under this system, the post-secondary institutions would preserve their autonomy through the use of governing boards. However, the provincial government would control funding and program review, thus allowing them to retain basic controls. The option does not provide for improved public involvement in the institutions, nor does it necessarily ensure stronger linkages between the two post-secondary sectors.

V. RECOMMENDATIONS

The recommendations presented attempt to take into account the assumptions and policy considerations outlined previously, as well as the implications of the three models. The recommended changes ensure the autonomy of post-secondary institutions, while providing for government control through the use of direct funding. Although differences between the sectors are recognized, parallel structures for governance are outlined. The suggested changes also address the issues of public participation and co-operation between the community college and university sectors.

A. Recommended Changes:

1. University Sector:

- a) maintenance of three independent universities with boards of governors appointed as at present;
- b) abolition of the Universities Grants Commission;
- c) direct funding of universities' requests by the Department of Education through the Deputy Minister;
- d) creation of a Program Review structure, with appointments from the general public, the community colleges, and from the universities. It would be designed to review university programs, make recommendations to the universities on program matters, and recommend to the Minister approval of changes in programs within the universities; and,

- e) a much expanded set of processes to encourage effective public input into the university at the operational, program, and institutional levels.

2. Community College Sector:

- a) the creation of an independent Manitoba Community College with three campuses, (by Act or order-in-council);
- b) the creation of a governing structure for the College which facilitates community input both at the campus level and the provincial level;
- c) direct funding of the College by the Department of Education as suggested above for the universities;
- d) a Program Review structure, either as part of the university structure or as a similar but separate body. In the case of a separate body, some university representation should be included with community college and public representation; and,
- e) continued direct provincial input in all negotiations with the Federal government concerning funding of college programs. It is suggested that the provincial government conduct the negotiations and then purchase the required services.

3. Post-Secondary Co-operation:

- a) a series of links between the college and universities be created at several levels to ensure co-operation and co-ordination of planning and programs.

B. Procedures:

1. That a working group be created under the direction of the Assistant Deputy Minister, PACE, to develop specific plans to implement the above changes. Plans to be reported by September 30, 1983.
2. That, after approval, these plans be made public as a "White Paper" on post-secondary governance for reaction and debate.
3. That the White Paper, as modified as a result of such debate, be acted upon in the Spring, 1984, legislative session.