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BOARD OF EDUCATION

State of Rhode Island and Providence Plantations
Council on Postsecondary Education
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Enclosure 7b.
February 24, 2016

TO: Members of the Council on Postsecondary Education

FROM: Jim Purcell, Ed.D, Commissioner for Postsecondary Education

DATE: February 15, 2016

RE: Discussion of revisions and amendments to Section One of the Council on Postsecondary Education's Policy Manual

Background

The Council on Postsecondary Education Policy Manual, section one, has been revised and is being presented for discussion. The revised and amended policies reflect the changes in the Council governance structure stipulated by Budget Article 20 for FY 15, which was enacted in 2014 and which is now part of the RI General Laws.

The Office of the Postsecondary Commissioner is presenting a revision of the following policies in response these statutory changes:

Adoption of Policies and Regulations B - 1.0
Conflict of Interest and Nepotism B - 3.0
Requests for Information from Board Members B - 4.0
Policy on Collaboration in Public Higher Education B - 5.0
Policy on Naming Opportunities for Recognition of Individuals or Entities B - 6.0
Policies of Administrative Supervision B - 7.0
Policies of Corporate Control B - 8.0
Introducing Legislation Relating to Public Higher Education -- B - 9.0

Revisions to the other policy in this section of the Policy Manual, B-2.0 Bylaws, were approved by the Council on September 4, 2015.

The attached redlined copies of the proposed revisions are attached for your consideration and discussion. Please note that the simple name changes such as the substitution of Council on Postsecondary Education for the Board of Governors and Council members for Board members are not highlighted.

These policy revisions were developed by the Office of the Postsecondary Commissioner and reviewed by general counsel.

These revisions are being introduced for discussion at the February 24th meeting of the Council on Postsecondary Education. Further discussion and a motion to approve will be considered at the next Council Meeting on March 30, 2016.

Motion

It is recommended

THAT the Council of Postsecondary Education (CPE) approves the policies as amended.

ADOPTION OF POLICIES AND REGULATIONS

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 12/11/75 (BR) 07/02/81 (BG) Legal Citation: 16-59-4(3)

Amended:

The Council will, from time to time, express its philosophical beliefs and general principles or purposes by which it will be guided in fulfillment of the requirements of ~~the Education Act of 1981.~~ Chapter 59 of Title 16 of the Rhode Island General Laws. The formulation and adoption of these statements shall constitute the policies of the Council.

The Council will also establish, from time to time, rules, regulations and standards to implement Council legal requirements, Council policy, and/or recommendations of the Commissioner of Postsecondary Education. These rules, regulations and standards must be consistent in every respect with law and with policies adopted by the Council. They are binding on all affected parties unless otherwise specified.

Proposed Council' policies or amendments or repeal thereto will be listed in the agendas as "Adoption of Policy," or "Amendment to Policy," or "Repeal of Policy."

Council' proposed regulations or amendment or repeal of regulations will be listed in the agendas as "Adoption of Regulations," or "Amendment to Regulations," or "Repeal of Regulations."

Proposals of policies and/or regulations will be developed through review and recommendation of the Commissioner of Postsecondary Education with referral to the full Council for adoption. All proposals shall be first reviewed at a regular meeting of the Council and then considered for action at the next regular meeting of the Council. Only those policies and/or regulations so adopted and so recorded shall be regarded as official Council policy and mandates.

New or amended policies/regulations shall be effective on date of adoption unless otherwise specified. These will be filed in the Council' Policy/Regulation Manual and disseminated to appropriate agencies.

The Commissioner of Postsecondary Education shall, from time to time, make regulations when specific state law requires the establishment of such regulations by that office.

The Office of Higher Education shall keep a permanent register of the policies open to public inspection. Compilations adopted by the Council shall be supplemented or revised as often as is necessary.

CONFLICT OF INTEREST AND NEPOTISM

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 05/08/80 (BR) 07/02/81 (BG) Legal Citation: ~~Ch.~~ 36-14 -1 et seq.

~~16-31-13~~
Amended: 16-59-14

I. GENERAL PURPOSE

It is the general purpose and intent of these regulations to define and prohibit conflicts of interest and nepotism in the activities of all employees of the Office of ~~Higher Education~~the Postsecondary Commissioner, the public institutions of higher education and all other agencies under the jurisdiction of the Council. These regulations are in addition to any other laws, regulations or policies which may apply to the same subject matter, and they shall not be construed to allow any activity which is prohibited by such other laws, regulations or policies.

II. CONFLICT OF INTEREST

A. General Prohibition

No person employed in any capacity under the Council's jurisdiction shall have any interest, financial or otherwise, direct or indirect, or engage in any business, employment transaction, or professional activity, or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his/her duties or employment in the public interest.

B. Substantial Conflict

Such person has an interest which is in substantial conflict with the proper discharge of his/her duties or employment in the public interest if he/she has reason to believe or expect that he/she or his/her spouse (if not estranged) or any dependent child, business associate or any business by which said person is employed or which said person represents will derive a direct monetary gain or suffer a direct monetary loss, as the case may be, by reason of his/her official activity. He/she does not have an interest which is in substantial conflict with the proper discharge of his/her duties in the public interest if any benefit or detriment accrues to him/her or his/her spouse (if not estranged) or any dependent child, business associate, or any business by which said person is

employed or which said person represents as a member of a business, profession, occupation or group to no greater extent than any other member of such business, profession, occupation or group.

C. Contracts

No such person and no spouse (if not estranged) or any dependent child of such person or business associate of such person or any business entity in which said individual, spouse or child or business associate of such person has a ten percent (10%) or greater equity interest or five thousand dollars ($5,000) or greater cash value interest shall enter into any contract with this Council or any agency under its jurisdiction unless the contract has been awarded through an open and public process, including prior public notice and subsequent public disclosure of all proposals considered and contracts awarded; provided, however, that contracts for professional services which have been customarily awarded without competitive bidding shall not be subject to competitive bidding if awarded through a process of public notice and disclosure of financial details.

III. NEPOTISM

A. Family Defined

For purposes of this regulation the term "family" shall mean and include parents, spouse (if not estranged), children and their spouses, siblings and their spouses and children.

B. Commissioner, President, etc.

No member of the same family as the Commissioner, ~~and~~ Associate, or Assistant Commissioners of ~~Higher~~ Postsecondary Education or of the President or Vice Presidents of the ~~higher education~~postsecondary institutions, shall be employed in any capacity under the Council's jurisdiction.

C. Other Employee

No two persons of the same family may hold positions under the Council's jurisdiction in which one of them is directly or indirectly responsible for recommendations or decisions involving the other in such matters as initial appointment, retention, promotion, salary, leave of absence, or any other job-related function of a supervisory nature.

D. Prospective Application

The prohibitions contained in subsections B. and C. of this section shall apply prospectively and shall not prohibit family member employment existing on the date of the adoption of these regulations.

E. Subsequent Family Formulation

The prohibitions contained in subsections B. and C. of this section shall not apply to those instances of family member employment which arise from the formation of the family after such employment has begun.

F. Student Employment

The prohibitions contained in subsections B. and C. of this section shall not apply to the employment of students who are members of an employee's family, provided that such student employment is of a type generally made available to students at the institution or agency in which the employment is held.

G. Resolution of Special Cases

In those cases where two or more family members are employed because of the exceptions provided in subsections D., E., and F. of this section, and where one family member is directly responsible for recommendations or decisions involving another in such matters as initial appointment, retention, promotion, salary, leave of absence or any other job-related function of a supervisory nature, the effected family members and the employing institution or agency shall, to the extent reasonably practicable, resolve a means for the evaluation to be accomplished by a non-family member.

H. Special Exemptions

In those instances where an institution or agency can show to the satisfaction of the Council that such institution or agency will suffer a genuine hardship in the pursuit of its purposes by reason of the application of the provisions of this section, such institution or agency may apply to the Council for a special exemption and the Council may grant the same subject to such conditions as it shall deem proper.

REQUEST FOR INFORMATION

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 05/20/80 (BR) 07/02/81 (BG) Legal Citation 16-59-6

Amended:

The Commissioner of Postsecondary Education is directed to answer in a timely fashion, and when feasible, a Council member's request for information.

Should the Commissioner object to a request and the Council member feels that the objection is without merit, the matter shall be referred to the Chairperson of the Council.

POLICY ON COLLABORATION IN PUBLIC HIGHER EDUCATION

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 09/18/97 (BG) Legal Citation: 16-59-4

PREMISE

The establishing legislation for the Council assigns to the Council, as one of its powers and duties, the responsibility of formulating a broad policy to implement the goals and objectives established and adopted by the Council. This ability to set policy provides the Council with a major mechanism for bringing about change.

As resources available to support public higher education have diminished compared with the increased need for this support, the Council is increasingly cognizant of the necessity of maximizing the return on all funds expended. One of the ways to increase the efficiency of the system of public higher education is to collaborate wherever possible. Although collaboration is not a new concept to the system, Rhode Island public higher education has, thus far, not capitalized on the potential strengths that could accrue if the system functioned more coherently. Having a Council policy on collaboration is a way to promote a more cooperative working relationship between and among the three institutions and the Office of ~~Higher Education~~ the Postsecondary Commissioner.

For the purposes of this policy, collaboration is considered to be the process of bringing as much complementarity as is feasible and fruitful into the administrative and academic operations of the system of public higher education. The reasons for seeking additional collaboration are that it affords:

1. Presentation of the system of public higher education as a whole, rather than discrete parts.
2. Motivation for working together in all administrative and academic areas.
3. Reduction of unnecessary duplication.
4. Economies of scale in purchasing, leasing and licensing agreements.
5. Creation of a more user-friendly atmosphere, particularly for students dealing with more than one institution.

PRINCIPLE

> The Rhode Island Council on Postsecondary Education supports the general principle that the public institutions of higher education, the Community College of Rhode Island, Rhode Island College and the University of Rhode Island, and the Rhode Island Office of the Postsecondary Commissioner shall collectively strive to bring into the system of public higher education as much collaboration as is possible, practical, and productive. More cohesion should be sought only in those areas where greater efficiency and simplification can be achieved. Collaboration should pervade all aspects of the operations: administrative, financial, academic, student services and development.

It is recognized that moving toward greater collaboration cannot be undertaken in all areas at the same time. But particularly when changes are contemplated, new initiatives are undertaken, or in instances where substantial opportunities exist, the potential of working together shall be considered. All applicable regulations of the Council shall be revised to reflect an emphasis on collaboration.

POLICY ON NAMING OPPORTUNITIES FOR RECOGNITION OF INDIVIDUALS OR ENTITIES

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 11/21/96 (BG) Legal Citation: 22-7.4
(Incorporated 1969 Policy)
Amended:

PREMISE

Naming opportunities provide the Council on Postsecondary Education and the institutions with an occasion to recognize exceptional contributions to public higher education in Rhode Island. Such contributions, whether they are financial or in the form of meritorious service, enrich and strengthen Rhode Island' s system of public higher education while at the same time providing the opportunity to honor those who have made the enhancements possible. In addition to delineating Council policy on naming opportunities, this policy is intended to provide the institutions with sufficient guidance and flexibility to respond to naming opportunities in ways that are beneficial to the institutions, to the system, and to prospective donors.

AUTHORITY TO NAME

The Council retains the prerogative to approve certain naming opportunities for several reasons. In the case of buildings and other physical properties, it is the Council that holds actual title to those properties. In the case of major organizational units at the institutions, Council Regulations Governing Instructional Program and Organizational Changes in Rhode Island Public Institutions of Higher Education require Council approval. Finally, the Council (and its predecessors) has maintained a policy on the naming of buildings since 1969; this policy incorporates that original policy, with minor modifications.

Therefore, authority to name is allocated as follows –

a. The Council retains the authority to approve proposals for the naming of –

   New Buildings, Bridges, Edifices and Other State Constructions[1] Existing Buildings and Wings, Thoroughfares, Portions of a Campus, Departments, Divisions, Schools, Colleges, Agencies, Institutes, Large Centers, and Other Major Organizational Units

b. The institutions can name without prior Council approval –

[1] As a matter of practice and policy, the Council submits names of buildings to the Permanent Joint Committee on Naming All New Buildings, Bridges, Edifices and Other State Constructions (Rhode Island General Laws '22-7.4).

Academic Programs
Chairs, Professorships, Lectureships, Faculty Awards
Fellowships, Assistantships, Scholarships
Library Collections

c. The following may be named by the institutions, unless conditions attached to the naming opportunity contain provisions for significant signage, in which case, the naming must be approved by the Council –

Athletic Fields, Pools, Walkways, Gardens and Other Exterior Spaces Rooms, Galleries, Auditoriums, Laboratories and Other Interior Spaces, and Small Centers and Institutes

PRINCIPLES

1. The institutions shall have policies in place for naming opportunities and these must conform with Council policy. Institutional policies on naming opportunities shall be reviewed by the Office of ~~Higher Education~~the Postsecondary Commissioner for appropriate consistency with this policy.

2. For proposals requiring Council approval, no commitment for naming shall be made prior to granting of said approval(s).

3. Each proposal for naming will be considered on its merits and must reflect favorably on and bring honor to the institution and Rhode Island's system of public higher education.

4. Named items must be of a sufficient magnitude so as not to trivialize either the institution, system or individual being honored.

5. Any conditions attached to a naming opportunity must be consistent with institutional and Council mission statements and policies, as well as to state and federal law. In particular,

   a. Naming opportunities should advance, not detract from, institutional and Council mission statements.

   b. Any conditions attached to a naming opportunity must conform to all institutional and Council finance, academic, student and personnel policies, including those pertaining to hiring and affirmative action.

   c. Reasonable control over signage and promotional activities related to the naming opportunity shall be retained by the institution or Council, as appropriate.

6. In the case of proposals for naming for a donor or for a person whose name is proposed by a donor in recognition of a gift, consideration will be given to --

a. The significance of the proposed gift as it relates to the realization or success of a project or program or to the enhancement of the project's or program's usefulness to the institution or to the system.

b. The urgency of need for the project or program or for support funds for the project or program.

c. The eminence of the individual whose name is proposed.

d. The individual's relationship to the institution or to the system.

7. In the case of proposals for naming opportunities in honor of an individual, with no gift involved –

a. The proposed honoree shall have achieved distinction in one or more of the following ways –

1) While serving the institution or the system in an academic capacity with such high scholarly distinction as to have earned a national or international reputation in the field of specialization, or while serving the institution or the system in an administrative capacity and rendering such distinguished service as to warrant recognition for exceptional contributions to the welfare of the institution or the system, or

2) Contributed in truly exceptional ways to the welfare of the institution or the system or achieved such unique distinction as to warrant recognition.

b. Absent extraordinary circumstances, if the individual has served the institution or the system in an academic or administrative capacity, a proposal shall not be made for naming in honor if the individual is still involved with the institution or system in a decision-making capacity.

PROCEDURES

1. Naming opportunities requiring Council approval should normally be presented in an Executive Session of the Council, at least one month prior to the date when action by the Council is to be requested in a format specified by the Office of ~~Higher Education~~ the Postsecondary Commissioner and to include, where appropriate, the amount of the gift discounted to present value.

2. Naming opportunities not requiring Council approval should be presented to the Council as informational items as part of the presidents' reports.

POLICIES OF ADMINISTRATIVE SUPERVISION

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 1969 (BT) 07/02/81 (BG) Legal Citation: 16-32-2.1
16-33-2.1
16-33.1-2.1~~59~~

Amended:

~~Authority in the following areas resides legally within the jurisdiction of the Council by virtue of its power to "govern" and "control." However, these policies are delegated to the presidents and faculties of the institutions for which the Council is responsible.~~ In addition to any powers granted to the presidents of the institutions by law or regulation, and consistent with shared governance practices, in conformity with § 16-32-10, § 16-33-6, and § 16-33.1-3, the presidents shall have the following additional powers and duties:

a. To create and consolidate departments, divisions, programs, and courses of study within the institutions with the assistance of the Commissioner of Postsecondary Education within the approved role and scope adopted by the Council on Postsecondary Education pursuant to § 16-59-4. Any new or proposed eliminations of departments, divisions, programs or courses of study that are outside the role and scope approved by the Council shall require the review and approval of the Council on Postsecondary Education. ~~Organization of the faculty, the government of its functions as a faculty, and the assignment of corporate duties to its members.~~

b. To adopt a budget for the institution, which shall be submitted to the Council on Postsecondary Education for approval.

c. To be responsible for the general management of property of the institution.

d. To recommend to the Council on Postsecondary Education, after consultation with the Commissioner of Postsecondary Education, tables of organization for the institution.

e. To submit to the Office of the Postsecondary Commissioner and to compile and analyze the following information for presentation to the Council on Postsecondary Education, and the Board of Education annually by May 1st the following:

1. A detailed departmental breakdown of all faculty members employed at the university by rank (including all professors, associate professors, assistant

professors, lecturers, and instructors) and tenure (tenured and non-tenured, and other) and by race (African American, Hispanic, Native American, and Asian) and gender.

2. A detailed report on current student enrollments for each class at the university by race and gender, by academic department, and by outreach program (e.g. Talent Development). Guaranteed admissions program, and the current levels of funding and staff support for each of these programs.

3. A report on the current status of African and African-American studies programs and a five (5) year budgetary history of the programs along with projections for budgetary support for the next two (2) years.

4. A plan for recruitment of African American and Hispanic faculty into tenure track positions with specific reference to and planned involvement with the New England high education's minority faculty recruitment and development plan.

5. Copies of the report shall be furnished to the Council on Postsecondary Education and the Board of Education.

In addition, the following policies are designated to the presidents and the faculties of the institutions for which the Council is responsible:

a. Organization of the faculty, the government of its functions as a faculty, and the assignment of corporate duties to its members.

b. Academic requirements for admission to the three institutions.

c. The nature and scope of the educational program (within the general patterns established by the Council); the establishment of academic standards, and the definition of the academic standing of students.

d. The requirements for graduation and for advanced degrees, and the recommendation of candidates for degrees, including honorary degrees.

e. Regulations relating to academic and social discipline of students and enforcement thereof.

f. Supervision of student organizations and activities.

g. Supervision of athletic activities.

h. The award of scholarships, loans, student aid, and academic honors and distinction.

POLICIES OF CORPORATE CONTROL

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 1969 (BT) 07/02/81 (BG) Legal Citation: 16-59

Amended: 08/18/88 (BG)

I. ~~These policies are within the jurisdiction of the Council by virtue of its power to "govern" and "control," and are exercised by the Council itself.~~The Council on Postsecondary Education shall have, in addition to those enumerated in § 16-59-1, the following powers and duties:

a. To approve a systematic program of information gathering, processing, and analysis addressed to every level, aspect, and form of higher education in this state especially as that information related to current and future educational needs so that current needs may be met with reasonable promptness and plans formulated to meet future needs as their arise in the most efficient and economical manner possible.

b. To develop and approve a strategic plan implementing broad goals and objectives for higher education in the state as established by the Board of Education, including a comprehensive capital development program.

c. To formulate broad policy to implement the goals and objectives established and adopted by the Board of Education, to adopt standards and require enforcement and to exercise general supervision over all higher public education in the state and over independent higher education in the state. The Board of Education and the Council shall not engage in the operation of administration of any subordinate committee, university, junior college, or community college, except its own Office Postsecondary Education and except as specifically authorized by an act of the General Assembly; provided, the presidents of each institution of higher learning shall be the chief administrative and executive officers of that institution; and provided that nothing contained in this section shall prohibit direct access to or interfere with the relationship between the presidents and the Board of Education and the Council.

d. To communicate with and seek the advice of the Commissioner of Postsecondary Education, the presidents of the public higher education institutions and all those concerned with and affected by its determinations as a regular procedure in arriving at its conclusions and in setting its policy.

e. To prepare and maintain a five (5) year funding plan for higher education that implements the strategic financing recommendations of the Board of Education; to prepare with the assistance of the Commissioner of Postsecondary Education and to present annually to the state budget officer in accordance with § 35-3-4 a state higher education budget which shall include, but not be limited to, the budge of the Office of the Postsecondary Commissioner and the budget of the state public higher education institutions. In the preparation of the budget, the Council shall implement the priorities established by the Board of Education of expenditures for public higher education purposes of state revenues and other public resources made available for the support of higher public education. Prior to submitting the budget to the state budget officer as required by the budget office instructions and §16-59-4, the Council shall present the budget to the Board of Education for its review and approval. The Council is not authorized to alter the allocation of grants or aid otherwise provided by law.

f. To maintain the Office of the Postsecondary Commissioner, to provide for its staffing and organization, and to manage and oversee a Commissioner of Postsecondary Education.

g. To appoint and dismiss presidents of the public institutions of higher learning with the assistance of the Commissioner of Postsecondary Education and to establish procedures, with the assistance of the Commissioner of Postsecondary Education, to approve or disapprove vice presidents of the public institutions of higher learning appointed by the respective presidents of the public institutions of higher learning.

h. To establish other educational agencies or subcommittees necessary or desirable for the conduct of any or all aspects of higher education and to determine all powers, functions, and composition of any agencies or subcommittees and to dissolve them when their purposes shall have been fulfilled.

i. To exercise the authority vested in the Board of Regents for education with relation to independent higher educational institutions within the state under the terms of Chapter 40 of Title 16 of the Rhode Island General Laws and other laws affecting independent higher education in the state.

j. To enforce the provisions of all laws relating to higher education, public and independent.

k. To be responsible for all the functions, powers, and duties which were vested in the Board of Regents for Education relating to higher education including but not limited to the following functions:

1. To approve the role and scope of programs at public institutions of higher learning with the assistance of the Commissioner of Postsecondary Education which shall include but not be limited to populations to be served, the type and level of programs and academic fields offered.

2. To adopt and require standard accounting procedures for the Office of the Postsecondary Commissioner and all public colleges and universities.

3. To approve a clear and definitive mission for each public institution of higher learning with the assistance of the Commissioner of Postsecondary Education that is consistent with the role and scope of programs at the public institutions.

4. To promote maximum efficiency, economy, and cooperation in the delivery of public higher educational services in the state and cooperation with independent institutions of higher education.

l. To incorporate into its own affirmative action reporting process periodic reports monitoring specific faculty and staff searches by the chairperson of the search committee to include the rationale for granting those interviews and the final hiring results. The institutions must empower their affirmative action officer to monitor searches in this manner, to intervene during the search, and, when necessary, to cause a search to cease if affirmative action goals are not being adequately served.

m. To incorporate a specific category for accountability on affirmative action goals and the implementation as part of the Board's annual evaluations and three (3) year reviews for the presidents of each of the public institutions of higher education.

n. To make a formal request of the Governor that whenever an opportunity arises to make new appointments to the Board, that the Governor make every effort to increase the number of African Americans, Native Americans, Asians, and Hispanics on the Board.

o. To develop coherent plans for the elimination of unnecessary duplication in public higher education and addressing the future needs of public education within the state in the most efficient and economical manner possible.

p. To delegate to the presidents of each public higher education institution the authority and responsibility for operational and management decisions related to their institutions, consistent with the goals of the statewide strategic plan for postsecondary education provided however that the presidents may be required to provide information or updates to the Council regarding any delegated operational or management decisions.

~~a. The Council shall appoint and dismiss presidents of the public institutions.~~

~~b. The Council shall approve or disapprove vice presidents appointed by the respective presidents of the public institutions.~~

Commented [MSOffice1]: Included above

g~~e~~. The Council shall establish salary scales and matters related to salary increments, changes in academic status, sabbatical leaves, vacations, retirement, and other benefits provided.

r~~d~~. The Council shall determine the uses to which the properties of the institutions shall be put. However, the responsibility for the general management of Council property lies with the presidents of the institutions.

~~e. The Council shall create departments of instruction, or research agencies, or administrative subdivisions and new appointive positions.~~

~~f. The Council shall have jurisdiction over the budget and determine policies relating to its preparation, regulations related to budgetary control, and requests for legislative appropriations and the purposes for which said requests are made.~~

s.~~g~~. The Council shall have control over and govern regulations relating to procedure in the handling of and accounting for funds.

t.~~h~~. The Council shall accept gifts of funds or other properties for the use of the institutions subject to such terms as it may approve.

u.~~i~~. The Council shall establish fees, within legal limitations, if any, and other charges to students.

II. The Commissioner of Postsecondary Education is the chief executive officer of the Council on Postsecondary Education and the chief administrator of the Office of ~~Higher Education~~the Postsecondary Commissioner. ~~The Council is responsible for governing the three public institutions of higher education: the University of Rhode Island, Rhode Island College and the Community College of Rhode Island. Each institution is headed by a president, who is the chief executive officer of that institution. Consistent with Chapter 16-59 of the General Laws of Rhode Island, the presidents report to the Council through the Commissioner but have direct access to the Council. The Commissioner and presidents are expected to maintain a close and effective working relationship. The responsibilities of the Commissioner are governed by the Education Act of 1981. Specifically, T~~the duties of the Commissioner shall include, but not be limited to, the following:

a. To develop and implement a systematic program of information gathering, processing, and analysis addressed to every aspect of higher education in the state, especially as that information relates to current and future educational needs.

b. To prepare a strategic plan for higher education in the state aligned with the goals of the Board of Education's strategic plan; to coordinate the goals and objectives of the higher public education sector with the goals of the Council on Elementary and Secondary Education, and activities of the independent higher education sector where feasible.

c. To communicate with and seek the advice of those concerned with and affected by the Board of Education's and Council's determinations.

d. To implement broad policy as it pertains to the goals and objectives established by the Board of Education and Council on Postsecondary Education; to promote better coordination between higher public education in the state, independent higher education ~~and~~ in the state, and pre k-12 education; to assist in the preparation of the budget for higher education and to be responsible upon direction of the Council for the allocation of appropriations, the acquisition, holding, and disposition of property.

e. To be responsible for the coordination of the various higher educational functions of the state so that maximum efficiency and economy can be achieved.

f. To assist the Board of Education in preparation and maintenance of a five (5) year strategic funding plan for higher education; to assist the Council in the preparation and presentation annually to the state budget officer in accordance with § 35-3-4 a total public higher educational budget.

g. To recommend to the Council on Postsecondary Education after consultation with the presidents, a clear and definitive mission for each public institution of higher learning.

h. To annually recommend to the Council on Postsecondary Education after consultation with the presidents, the creation, abolition, retention, or consolidation of departments, divisions, programs, and courses of study within

the public colleges and universities to eliminate unnecessary duplication in public higher education, to address the future needs of public higher education in the state, and to advance proposals recommended by the presidents of the public colleges and universities pursuant to sections § 16-32-2.1, §16-33-2.1 and § 16-33.1-2.1 of the general laws.

i. To supervise the operation of the Office of the Postsecondary Commissioner, including the Division of Higher Education Assistance Authority, and any other additional duties and responsibilities that may be assigned by the Council.

j. To perform the duties vested in the Council with relation to the independent higher educational institutions of the state under the terms of Chapter 40 of Title 16 of the Rhode Island General Laws and any other laws that affect independent higher education in the state..

k. To be responsible for the administration of policies, rules, and regulations of the Council on Postsecondary Education with relation to the entire field of higher education within the state, not specifically granted to any other department, board, or agency and not incompatible with law.

l. To prepare standard accounting procedures for public higher education and all public colleges and universities.

m. To carry out the policies and directives of the Board of Education and the Council on Postsecondary Education through the Office of the Postsecondary Commissioner and through utilization of the resources of the public institutions of higher learning.

~~k. to enforce standards and to exercise general supervision over public higher education in the state and over independent higher education in the state as provided by law;~~

- ~~to recommend to the Council, after consultation with the presidents, a mission for each public institution of higher education;~~

- ~~to chair the Operating Executive Committee (PEEC: Postsecondary Education Executive Council), which is composed of the presidents and the Commissioner;~~

~~• to develop and implement a systematic program of data collection;~~

~~• to prepare a master plan for higher education within the state;~~

~~• to assist the Council in the preparation and presentation of the annual budget for higher education;~~

~~l. to recommend to the Council, after consultation with the presidents, tables of organization for the public institutions of higher education;~~

~~m. to communicate with and seek the advice of those concerned with and affected by the Council' determinations;~~

~~• to annually recommend to the Council, after consultation with the presidents, the creation, abolition, retention or consolidation of departments and courses of study within the public colleges and universities;~~

~~• to be responsible for the coordination of the various higher educational functions in the state so that maximum efficiency and economy may be achieved;~~

~~n. to carry out the policies and directives of the Council and to perform such other additional duties and responsibilities as may be assigned by the Council from time to time.~~

~~o.~~n. to enter into interstate reciprocity agreements regarding the provision of postsecondary distance education; to administer such agreements; to approve or disapprove applications to voluntarily participate in such agreements from postsecondary institutions that have their principal place of business in Rhode Island; and to establish annual fees, with the approval of the council on postsecondary education, for aforesaid applications to participate in an interstate postsecondary distance education reciprocity agreement;

~~p.~~o. to the extent necessary for participation, and to the extent required and stated in any distance learning reciprocity agreement, to implement procedures to address complaints received from out-of-state students in connection with, or related to, any Rhode Island postsecondary institution, public or private, that has been approved to participate in said reciprocity agreement;

p. to exercise all powers and duties of the division of higher education assistance as set forth under the terms of chapter 57 of this title.

INTRODUCTION OF LEGISLATION RELATING TO PUBLIC HIGHER EDUCATION

Council on Postsecondary Education
State of Rhode Island and Providence Plantations

Adopted: 1969 (BT) 07/02/81 (BG) Legal Citation: 16-59

Amended:

All bills introduced in the Rhode Island General Assembly which concern any of the institutions under the Council's jurisdiction are to be channeled through the Office of the Postsecondary Commissioner ~~of Postsecondary Education Office~~ to the appropriate president. These bills will be summarized in the "Commissioner's Report to the Council" at all Council meetings which take place during the legislative session, with comments from the individual presidents on those bills which are directly related to their respective institutions.