

STATE BOARD OF EDUCATION

Action Item

January 17, 2006

SUBJECT: Transfer of Statutory Responsibilities for Independent Colleges and Universities of Florida (ICUF)

PROPOSED BOARD ACTION

Approve Transfer of Responsibilities for ICUF Institutions

AUTHORITY FOR STATE BOARD ACTION

Sections 20.15, 1001.22, 1005.21, 1005.06, Florida Statutes

BACKGROUND INFORMATION

Chapter 1005, F.S., provides requirements for the oversight, regulation, and licensure of nonpublic postsecondary education institutions. Section 1005.02(11), F.S., defines "independent postsecondary educational institution" as:

"any postsecondary educational institution that operates in this state, and is not provided, operated, and supported by the State of Florida, its political subdivisions, or the Federal Government."

Section 1001.22, F.S., establishes the Commission on Independent Education to authorize granting of certificates, diplomas and degrees for independent postsecondary education institutions pursuant to chapter 1005, F.S. All Florida independent postsecondary educational institutions are under the jurisdiction or purview of the Commission for Independent Education (for licensure and consumer protection purposes) except those that meet certain exemption requirements (s. 1005.06, F.S.).

Currently 28 institutions meet the following requirement to be exempt from the purview or jurisdiction of the Commission:

"Any institution that is under the jurisdiction of the Division of Colleges and Universities of the Department of Education, whose students are eligible for the William L. Boyd, IV, Florida Resident Access Grant, and that is a nonprofit independent college or university located and chartered in this state and accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees." (s. 1005.06(1)(c), F.S.)

These 28 institutions (listed on the attached page) make up the membership of the Independent Colleges and Universities of Florida (ICUF).

As noted on the attached memo from Chair Roberts, prior to the creation of the Florida Board of Governors, the Division of Colleges and Universities held responsibility, as a unit of the Department of Education, for the oversight of the institutions meeting the exemption stated above (in other words, the ICUF institutions). She notes that the provisions of Article IX, Section 7 of the Constitution of the State of Florida specify the responsibility of the Board of Governors "to govern the state university system, which is comprised solely of the eleven state universities...". Chair

Roberts further states that “the provision of activities associated with any other institutions is neither in concert with the Board of Governor’s Strategic Plan nor one that the Board Office is staffed to perform.” As such, the State Board of Education must consider appropriate placement of responsibilities associated with ICUF institutions outside of the offices of the Board of Governors.

The Legislature clearly outlines its intent for seamless articulation as stated in s. 1007.01(1), F.S.:

“It is the intent of the legislature to facilitate articulation and seamless integration of the K-20 education system by building and sustaining relationships among K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida’s communities. The purpose of building and sustaining these relationships is to provide for the efficient and effective progression and transfer of students within the education system and allow students to proceed toward their educational objectives as rapidly as their circumstances permit.”

Currently within the Department of Education, the Office of Articulation and the work of the Articulation Coordinating Committee (consisting of public and private sector institutional representatives) have primary coordinating responsibilities associated with overseeing and maintaining Florida’s world-renowned articulation infrastructure of common course numbering, guaranteed credit transfer, articulation agreements, acceleration mechanisms and other student-centered policies.

Under the authority of s. 20.15(3)(c), F.S., the State Board of Education and Commissioner may “assign to the divisions such powers, duties, responsibilities, and functions as are necessary to ensure the greatest possible coordination, efficiency, and effectiveness of education for students in K-20 education.”

In the spirit of coordination, seamless articulation, maximum efficiencies, and the articulation of students across and among public and private institutions, the Commissioner recommends placement of oversight and consumer protection responsibilities for the ICUF institutions under the purview of the Office of Articulation within the Office of the Commissioner.

Supporting Documentation Included: List of ICUF postsecondary institutional members, October 25, 2005 Memo from Board of Governors Chair Roberts to Commissioner Winn.

Facilitators/Presenters: Dr. Theresa Klebacha, Director of Strategic Initiatives

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