

2022 -- S 2576

LC004953

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2022

A N A C T

RELATING TO EDUCATION -- COUNCIL ON POSTSECONDARY EDUCATION

Introduced By: Senators DiMario, Cano, Miller, Valverde, Burke, Lawson, Kallman, and Euer

Date Introduced: March 10, 2022

Referred To: Senate Education

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 16-59-6 of the General Laws in Chapter 16-59 entitled "Council on
2 Postsecondary Education [See Title 16 Chapter 97 - The Rhode Island Board of Education Act]" is
3 hereby amended to read as follows:

4 **16-59-6. Commissioner of postsecondary education.**

5 The council on postsecondary education, with approval of the board, shall appoint a
6 commissioner of postsecondary education, who shall serve at the pleasure of the council, provided
7 that his or her initial engagement by the council shall be for a period of not more than three (3)
8 years. For the purpose of appointing, retaining, or dismissing a commissioner of postsecondary
9 education, the governor shall serve as an additional voting member of the council. The position of
10 commissioner shall be in the unclassified service of the state and he or she shall serve as the chief
11 executive officer of the council on postsecondary education, the chief administrative officer of the
12 office of postsecondary commissioner, and the executive director of the division of higher
13 education assistance. The commissioner of postsecondary education shall have any duties that are
14 defined in this section and in this title and other additional duties as may be determined by the
15 council, and shall perform any other duties as may be vested in him or her by law. In addition to
16 these duties and general supervision of the office of postsecondary commissioner and the
17 appointment of the several officers and employees of the office, it shall be the duty of the
18 commissioner of postsecondary education:

19 (1) To develop and implement a systematic program of information gathering, processing,

1 and analysis addressed to every aspect of higher education in the state, especially as that
2 information relates to current and future educational needs.

3 (2) To prepare a strategic plan for higher education in the state aligned with the goals of
4 the board of education's strategic plan; to coordinate the goals and objectives of the higher public
5 education sector with the goals of the council on elementary and secondary education and activities
6 of the independent higher education sector where feasible.

7 (3) To communicate with, and seek the advice of those concerned with, and affected by the
8 board of education's and council's determinations.

9 (4) To implement broad policy as it pertains to the goals and objectives established by the
10 board of education and council on postsecondary education; to promote better coordination
11 between higher public education in the state, independent higher education in the state as provided
12 in subsection (10) of this section, and pre k-12 education; to assist in the preparation of the budget
13 for public higher education; and to be responsible, upon direction of the council, for the allocation
14 of appropriations, the acquisition, holding, disposition of property.

15 (5) To be responsible for the coordination of the various higher educational functions of
16 the state so that maximum efficiency and economy can be achieved.

17 (6) To assist the board of education in preparation and maintenance of a five-year (5)
18 strategic funding plan for higher education; to assist the council in the preparation and presentation
19 annually to the state budget officer in accordance with § 35-3-4 of a total, public higher educational
20 budget.

21 (7) To recommend to the council on postsecondary education, after consultation with the
22 presidents, a clear and definitive mission for each college.

23 (8) To annually recommend to the council on postsecondary education, after consultation
24 with the presidents, the creation, abolition, retention, or consolidation of departments, divisions,
25 programs, and courses of study within the public colleges to eliminate unnecessary duplication in
26 public higher education, to address the future needs of public higher education in the state, and to
27 advance proposals recommended by the presidents of the public colleges pursuant to §§ 16-33-2.1
28 and 16-33.1-2.1.

29 (9) To supervise the operations of the office of postsecondary commissioner, including the
30 division of higher education assistance, and any other additional duties and responsibilities that
31 may be assigned by the council.

32 (10) To perform the duties vested in the council with relation to independent higher
33 educational institutions within the state under the terms of chapter 40 of this title and any other
34 laws that affect independent higher education in the state.

1 (11) To be responsible for the administration of policies, rules, and regulations of the
2 council on postsecondary education with relation to the entire field of higher education within the
3 state, not specifically granted to any other department, board, or agency and not incompatible with
4 law.

5 (12) To prepare standard accounting procedures for public higher education and all public
6 colleges.

7 (13) To carry out the policies and directives of the board of education and the council on
8 postsecondary education through the office of postsecondary commissioner and through utilization
9 of the resources of the public colleges.

10 (14) To enter into interstate reciprocity agreements regarding the provision of
11 postsecondary distance education; to administer such agreements; to approve or disapprove
12 applications to voluntarily participate in such agreements from postsecondary institutions that have
13 their principal place of business in Rhode Island; and to establish annual fees, with the approval of
14 the council on postsecondary education, for aforesaid applications to participate in an interstate
15 postsecondary distance education reciprocity agreement.

16 (15) To the extent necessary for participation, and to the extent required and stated in any
17 distance learning reciprocity agreement, to implement procedures to address complaints received
18 from out-of-state students in connection with, or related to, any Rhode Island postsecondary
19 institution, public or private, that has been approved to participate in said reciprocity agreement.

20 (16) To promulgate rules and regulations requiring that all public institutions of higher
21 education provide students with market-rate financial compensation for any work-based
22 experiences that students are required to complete to obtain a degree in any program of study. These
23 regulations shall apply to graduation requirements where the student engages in supervised or
24 directed learning that takes place in a professional setting with site-based practitioners. Sporadic
25 shadowing, occasional site visits, or other similarly infrequent activities shall not require financial
26 compensation.

27 ~~(16)~~(17) To exercise all powers and duties of the division of higher education assistance as
28 set forth under the terms of chapter 57 of this title.

29 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO EDUCATION -- COUNCIL ON POSTSECONDARY EDUCATION

1 This act would call for the promulgation of rules and regulations which require public
2 higher education institutions financially compensate students who participate in work-based
3 learning experiences.

4 This act would take effect upon passage.

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