

Tab 4, Attachment A

Proposed Departmental Organization Rule Revision

Title 6—DEPARTMENT OF HIGHER EDUCATION AND WORKFORCE DEVELOPMENT
Division 10—Commissioner of Higher Education
Chapter 1—Departmental Organization

6 CSR 10-1.010 Departmental Organization

PURPOSE: As required by section 536.023.3., RSMo (1986), this rule describes the organization and operation of the Department of Higher Education and Workforce Development, which was created pursuant to Article IV, sections 12 and 52, Missouri Constitution and section 173.005, RSMo (1986).

(1) The Coordinating Board for Higher Education (CBHE).

(A) The CBHE is the head of the Department of Higher Education and Workforce Development and constitutes the policymaking body for the Department. The CBHE appoints the commissioner of higher education who shall be the chief administrative officer of the department.

(B) The responsibilities of the CBHE include the following:

1. Establishing the policies of the Department of Higher Education and Workforce Development;
2. Developing a coordinated plan for higher education in this state;
3. Administering state financial assistance programs for students attending institutions of higher education in this state;
4. Approving new programs to be offered in state institutions of higher education;
5. Establishing guidelines for the appropriation requests of public institutions of higher education, including approved off-campus and out-of-district instruction;
6. Approving new state-supported postsecondary institutions;
7. Establishing statewide guidelines relating to admission and transfer of students;
8. Establishing statewide policy relating to residency of students;
9. Collecting data on all institutions of higher education in this state, which data is to be used to delineate areas of competence for each institution or for other purposes deemed appropriate by the CBHE;
10. Administering state statutes with respect to public community colleges;
11. Administering state statutes providing for CBHE jurisdiction over both instate and out-of-state postsecondary institutions operating in Missouri;
12. Contracting with Missouri independent colleges and universities or publicly-supported higher education institutions or coordinating agencies to provide research services;
13. Coordinating reciprocal agreements between and among Missouri state institutions of higher education and between and among Missouri state institutions of higher education and publicly supported higher education institutions located outside the state;
14. Placing on probation or terminating programs at any college or university that fails to meet certain standards;
15. Requiring all public two-year and four-year higher education institutions to replicate best practices in remediation;
16. Conducting studies of population and enrollment trends affecting institutions of higher education in the state;
17. Identifying higher education needs in the state;

18. Developing arrangements for more effective and more economical specialization among institutions;

19. Entering into agreements for interstate reciprocity regarding the delivery of postsecondary distance education;

20. Conducting a review every five years of the mission statements of Missouri public institutions of higher education; and

21. Reviewing applications from institutions seeking a statewide mission.

(2) The Missouri State Anatomical Board as referenced in sections 194.210 to 194.180, RSMo, which is under the supervision of the commissioner of higher education, maintains exclusive charge and control of the disposition and delivery of cadavers to and among qualified educational institutions in this state.

(3) The public may request access to public records, in custody of the Department of Higher Education and Workforce Development, by submitting requests, in writing, to the Commissioner of Higher Education, PO Box 1469, Jefferson City, MO 65101. The commissioner will route the request to the appropriate departmental custodian of records.

(4) For information concerning the coordination of higher education, the certification or exemption of postsecondary schools or the administration of student financial aid, the public may write to the department at PO Box 1469, Jefferson City, MO 65101 or call (800) 473-6757. For information concerning the Missouri State Anatomical Board, the public may write to the Department of Pathology and Anatomical Sciences at the University of Missouri Medical Sciences Building, One Hospital Drive, Columbia, MO 65212.

AUTHORITY: section 536.023.3., RSMo 1986. Original rule filed March 25, 1977, effective Sept. 11, 1977. Amended: Filed Sept. 12, 1984, effective Jan. 12, 1985. Amended: Filed Sept. 2, 1988, effective Dec. 1, 1988.*

**Original authority: 536.023, RSMo 1975, amended 1976, 1977.*

Op. Atty. Gen. No. 43, Bradshaw, 1-17-79. Section 6.2 of the Omnibus State Reorganization Act prohibits any member of the Coordinating Board for Higher Education from being "engaged professionally as an educator or educational administrator, at the time appointed or during his term." Since the trustee of a private college in Missouri is an "educational administrator" in light of the purposes of the Act, he cannot serve simultaneously as a trustee of the private college and as a member of the Coordinating Board.