

FLORIDA HIGHER EDUCATION STRUCTURE

Florida College System (FCS)

Florida's colleges remain the primary point of access to higher education in Florida, with 65 percent of the state's high school graduates pursuing postsecondary education beginning at a Florida college, and 82 percent of freshman and sophomore minority students in public higher education attending one of Florida's 28 colleges.

Honors and Early College/Dual Enrollment programs attract some of the best and brightest minds and the colleges' open-door policies allow students who need remediation to get the skills they need for college-level courses. Many FCS students are the first in their families to attend college. Adult learners take college courses for personal and professional development, or to prepare for a new career.

More students enroll at Florida's colleges to retool and retrain during economic downturns. We are more committed than ever to keeping our doors open, and to helping students get the training they need to improve their lives and help boost our state's economy.

To learn more about the Florida College System, visit www.fldoe.org/schools/higher-ed/fl-college-system

Board of Governors, State University System of Florida

Florida's public university system includes twelve universities with an enrollment of more than 300,000 students, more than 60,000 faculty and staff, and an annual operating budget of more than \$8.5 billion.

Article IX, Section 7 of the Florida Constitution was amended in 2002 to establish a statewide system of governance for all Florida public universities. As a result, the Florida Board of Governors was created in 2003 to operate, regulate, control, and be fully responsible for the management of the entire system consisting of eleven public universities. Responsibilities include defining the distinctive mission of each university and ensuring the well-planned coordination and operation of the system.

The Board includes seventeen members, fourteen of whom are appointed by the Florida Governor and confirmed by the Florida Senate for a term of seven years. The remaining members include the President of the Advisory Council of the Faculty Senate, the Commissioner of Education, and the Chair of the Florida Student Association. The Board of Governors appoints a Chancellor who serves as the chief executive and administrative officer of the university system.

Assisting the Board Members in their responsibilities is a professional and administrative office created in July 2005 and led by the Chancellor of the State University System. The office includes three major units - the Office of Academic and Student Affairs, the Office of Public Affairs, and the Office of Budget and Finance - as well as the offices of the General Counsel, Corporate Secretary, and Inspector General and Director of Compliance.

Commission for Independent Education

The Commission for Independent Education has statutory responsibilities in matters relating to nonpublic, postsecondary, educational institutions. In keeping with the Florida Department of Education's goal of producing a seamless educational system, some of these functions include consumer

protection, program improvement, institutional policies and administration, data management, and the licensure of independent schools, colleges and universities.

School District Postsecondary Institutions

Career and Adult Education is designed to meet the needs of our customers, which include students and business/ industry. This area represents a significant collaboration and partnership across both private and public sectors throughout the state of Florida to improve Florida's workforce. Career and Adult Education is delivered to our customers through a network of service providers, which includes District Technical Centers/Colleges.

Office of Student Financial Assistance (OSFA)

The Florida Department of Education, Office of Student Financial Assistance (OSFA) serves as a guarantor for the Federal Family Education Loan Program (FFELP) and the administrator of Florida's scholarship and grant programs. The OSFA mission is to facilitate higher education access and services by providing exemplary customer attention, comprehensive financial aid information, and convenient and efficient products.

THE FLORIDA "SUNSHINE" LAW

Overview of Florida Law Relating to Public Meetings and Public Records

PUBLIC MEETINGS

1. Scope

Section 286.011 F.S. provides a right of access to governmental proceedings at both the state and local level. The law is equally applicable to elected and appointed boards and applies to any gathering of two or more members of the same board to discuss some matter which may foreseeably come before that board for action.

2. Basic Requirements

- Meetings of public boards or commissions must be open to the public.
- Members of the boards or commissions may not discuss matters which may foreseeably come before the board for action with other members of the board except in a properly noticed public meeting of the board.
- Appropriate notice of such meetings must be given.
- Minutes of the meetings must be taken.

3. Application to Various groups

Advisory Boards - Advisory boards which make recommendations to the public agency may be subject to the Sunshine Law. Finding committees which make no recommendations generally are not subject to the Sunshine Law.

Private Organizations - Private organizations, which perform a public purpose delegated by a public agency, are subject to the Sunshine Law.

Staff - Meetings of staff are not ordinarily subject to the Sunshine Law; however when a staff committee performs a function which is delegated authority that normally resides with the public board or commission, the Sunshine Law is applicable.

4. Miscellaneous Issues

- Communications between board member and others
 - Correspondence by one board member to other members may not be a violation of the Sunshine Law if prior to the meeting there is no response or other interaction related to the communication among board members. Such communications should be avoided in an abundance of caution.
 - Communication between board members by telephone, fax, e-mail, etc. are subject to the Sunshine Law limitations.
 - Communication with staff and third parties by board members are not Sunshine Law violations unless the staff of the third parties are used as conduits to communicate information between board members.

- **Exceptions**
 - Collective bargaining discussions subject to certain limitations.
 - Attorney – client discussions regarding litigation under certain circumstances.

- **Penalties**
 - Knowingly violating of the Sunshine Law is a misdemeanor of the second degree. (Section 286.011 (3) (b) F.S.)
 - Removal from office may occur after a conviction.
 - Non-criminal fines up to \$500.00 may be imposed along with reasonable attorney’s fees.
 - Injunction or declaration relief may be obtained.

PUBLIC RECORDS

1. Documents Which Constitute Public Records

- Section 119.011 (1) F.S. defines “**public records**” to include: all documents, papers, letters, maps, books, tapes, photographs, films, sound recording, data processing software, or other material, regardless of the physical form, characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.
- All public records, as defined above, must be provided to the public promptly upon request.
- Any agency document, however prepared, if circulated for review comment or information, is a public record regardless if whether it is an official expression of policy or marked “preliminary”, “draft”, “confidential”, or otherwise. Notes taken for one’s own use and not to be circulated are not public records.
- Certain records of private entities acting on behalf of a government entity may be subject to public access.
- Certain limited exceptions for copyrighted or “sensitive” software, trade secret information, and certain audit materials are examples of exceptions to the public records access requirements.

2. Access to Records

- No unreasonable delay may be allowed in response to a request for records.
- Anyone may request records.
- Statutory fees may be charged for production of records.

3. Penalties

- Violation is a misdemeanor of the first degree.
- Non-criminal fines of up to \$500.00 may be assessed.
- Attorney’s fees may be assessed.
- Suspension or removal from office may be imposed.