

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Higher Education Appropriations Committee

BILL: CS/CS/SB 2682

INTRODUCER: Higher Education Appropriations Committee, Higher Education Committee and Senator Pruitt

SUBJECT: Florida College System

DATE: April 20, 2009 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Harkey</u>	<u>Matthews</u>	<u>HE</u>	<u>Fav/CS</u>
2.	<u>Bryant</u>	<u>Hamon</u>	<u>HI</u>	<u>Fav/CS</u>
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The bill implements some of the recommendations of the Florida College System Task Force and the State College Pilot Project. In particular, the bill would:

- Rename the Division of Community Colleges within the Department of Education as the Division of Florida College System;
- Define the colleges' service areas;
- Authorize a community college to change its name to college or state college if it has been authorized to grant baccalaureate degrees and had been accredited by the Southern Association of Colleges and Schools (SACS) to do so, or, alternatively, with board-of-trustees and State Board of Education (SBE) approval;
- Require the college to seek a statutory name change in the year following the college's name change;
- Revise the primary mission of the community colleges to include upper level instruction and awarding baccalaureate degrees as authorized by law;
- Require colleges to maintain associate degree programs after receiving approval to offer a baccalaureate degree;

- Require initial approval of a baccalaureate degree by the SBE;
- Provide criteria for the evaluation of a baccalaureate degree proposal;
- Provide for exceptions from the requirement for State Board of Education approval of baccalaureate degree programs;
- Require the statewide articulation agreement to provide for the admission of Associate of Arts (AA) degree graduates to a state college or university; and
- Provide for community college AA degree graduates to receive priority over out-of-state students for admission to an institution within the Florida College System (FCS) for upper division programs.

This bill amends ss. 20.15, 120.65, 288.8175, 1000.21, 1001.60, 1001.61, 1004.65, 1004.70, 1004.87, 1007.23, 1007.33, and 1009.23, Florida Statutes. The bill repeals ss. 1004.73 and 1004.875, Florida Statutes.

II. Present Situation:

Community Colleges Awarding Baccalaureate Degrees

Sections 1007.33 and 1004.73 F.S., currently authorize community colleges to develop and award baccalaureate degrees in limited disciplines: Teaching, Math and Science which prepare individuals to teach, Nursing, and high-need/high-demand Applied Science majors. All programs must be funded in order to become operational. Graduate degrees are prohibited, as are athletics outside of those authorized for 2-year colleges.

Under s. 1004.73 F.S., St. Petersburg College (SPC), upon an analysis of workforce needs in Pinellas, Pasco, and Hernando counties, and in collaboration with the University of South Florida and Pasco-Hernando Community College, may offer upper division bachelor degree programs authorized by their Board of Trustees. Tuition and fees must be at a level less than fees established for the University of South Florida.

Under s. 1007.33 F.S., the remaining community colleges may develop a proposal to deliver specified baccalaureate degree programs in their district to meet local workforce needs, as well as baccalaureate degree programs in math and science which would prepare graduates to enter a teaching position in math or science. All proposals must be submitted to, and approved by, the State Board of Education (SBE) and, upon SBE approval of the specific degree program, the college must pursue Southern Association of College and Schools accreditation. Funding for community college baccalaureates is limited to 85 percent of the direct cost of instruction in the State University System.

Community College Service Districts

Community college service districts are contiguous with county boundaries, with some serving a single county and others serving multiple counties. Currently, the service districts are not defined in law.

The Florida College System

The 2008 Legislature established the Florida College System (FCS)¹ for purposes of maximizing open access, responding to community needs for postsecondary academic and career degree education, and providing associate and baccalaureate degrees that best meet the state's employment needs.² The FCS is comprised of Florida's 28 public junior, community, and state colleges that grant two-year and four-year academic degrees. FCS programs must demonstrate substantial savings to the student and state over the cost of a degree at a state university.

The 2008 legislation also created the State College Pilot Project (Pilot Project) and FCS Task Force (Task Force). Participating Pilot Project institutions were: Chipola College, Daytona State College, Edison State College, Indian River State College, Miami Dade College, Northwest Florida State College, Polk College, Santa Fe College, and St. Petersburg College.³ The Pilot Project was required to issue a status report and make recommendations relating to the transition of a community college to a state college, including:

- A baccalaureate degree program approval process designed to meet state employment needs;
- The formulation of criteria for the transition of an institution from a community college to a state college; and
- The development of a state college funding model.⁴

The Pilot Project issued its report and recommendations in November 2008.⁵

The Task Force is comprised of the Commissioner of Education and 11 members appointed by the Commissioner. The 11 appointees include seven community college presidents, one state university president, the president of an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, the president of a degree-granting institution that is licensed by the Commission for Independent Education, and one member at large.⁶ The Task Force was required to:

- Recommend a baccalaureate degree program approval process;
- Recommend a funding model that supports the provision of associate and baccalaureate degrees in a cost-effective manner;
- Identify geographic and academic areas where increased baccalaureate degree graduates are necessary to meet regional and statewide workforce needs;
- Monitor Pilot Project implementation; and
- Recommend priorities and criteria for baccalaureate degree programs that may be offered without specific SBE approval.⁷

The Task Force issued its report and recommendations in December 2008,⁸ and is scheduled to be dissolved on June 30, 2010.⁹

¹ ch. 2008-52, L.O.F.

² s. 1001.60, F.S.

³ s. 1004.875, F.S.

⁴ *Id.*

⁵ State College Pilot Project, *State Colleges in Florida: A Pilot Project Created by the 2008 Florida Legislature* (November 2008) available at <http://www.fldoe.org/CC/pdf/StateCollegePilotProjectFinal.pdf>

⁶ s. 1004.87, F.S.

⁷ *Id.*

Pilot Project and Task Force Non-fiscal Policy Recommendations

The Pilot Project's and Task Force's made non-fiscal policy recommendations that would require statutory amendment and that are currently addressed by the bill.

Designation of System, Colleges, and Service Districts

The report included recommendations related to the following:

- Update the statutes to reflect the new "Florida College System" designation provided in the 2008 legislation;
- Permit a college to use the designation "state college" when it has been authorized by the SBE for at least one baccalaureate degree program and has earned Level II accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools (SACS); and
- Amend the statutes to specify the county or counties served by each FCS institution.

Mission

The report included a recommendation to maintain the historical community college mission and specify that the primary mission of community colleges includes the award of baccalaureate degrees.

Articulation

The report contained a recommendation to preserve and strengthen articulation for admission and transfer and specifically include FCS upper division programs in 2+2 transfer/admission guarantees.

Baccalaureate Degree Approval Process

The recommendations included:

- Retaining the current process requiring SBE approval for the initial transition to a baccalaureate degree granting institution;¹⁰
- Permitting FCS institutions to submit proposals for new baccalaureate programs throughout the year; and
- Permitting baccalaureate degree programs to be proposed for purposes of serving local, regional, or statewide workforce needs.

Uniform Application of Statutory Baccalaureate Program Authority

The report included a recommendation to statutorily provide one legal framework governing all FCS institutions.¹¹ Additionally, the report concluded with recommendations to:

- Specify that adult education is offered in a separate and secondary role;
- Repeal St. Petersburg College's special law and the State College Pilot Project; and

⁸ The Florida College System Task Force, *The Florida College System: Assuring Postsecondary Access That Supports Florida's Future* (December 2008) available at <http://www.fldoe.org/CC/pdf/CollegeSystemFinalReport.pdf>.

⁹ *Id.*

¹⁰ For subsequent BA programs and after an institution has received Level II SACS accreditation, the Pilot Project recommends authorizing each BOT to approve the baccalaureate degree program, while the Task Force recommends requiring SBE approval for all (first and subsequent) baccalaureate degree programs.

¹¹ Currently, St. Petersburg College has unique statutory authority that allows it to establish baccalaureate degree programs without SBE approval.

- Define the role of colleges in the articulation agreement—that AA degrees must be accepted except in limited access programs, teacher certification programs or a program requiring an audition.

III. Effect of Proposed Changes:

The bill implements some of the recommendations of the Florida College System Task Force and the State College Pilot Project. In particular, the bill would:

- Rename the Division of Community Colleges within the Department of Education as the Division of Florida Colleges;
- Define the colleges' service areas;
- Authorize a community college to change its name to college or state college if it has been authorized to grant baccalaureate degrees and had been accredited by SACS to do so, or, alternatively, with board-of-trustees and SBE approval;
- Require the college to seek a statutory codification of the name in the year following the college's name change;
- Revise the primary mission of the community colleges to include upper level instruction and awarding baccalaureate degrees as authorized by law;
- Provide criteria for evaluation of a baccalaureate degree proposal, including:
 - Maintaining an open-door admissions policy for lower-division courses;
 - Responding to local workforce needs;
 - Submitting a budget and enrollment plan exhibiting cost savings to students and the state in comparison to state university and private institutional costs;
 - Documenting sufficient classrooms, equipment, and library holdings;
 - Submitting a curriculum plan;
 - Providing a plan of action if the program is terminated; and
 - Providing a plan for achieving Level II accreditation from SACS;
- Require colleges to continue associate degree programs after receiving approval to offer a baccalaureate degree;
- Provide for an exemption from State Board of Education approval for colleges that meet certain criteria;
- Retain St. Petersburg College's authority to provide baccalaureate degrees as the college's board of trustees decide is necessary in its service area.

Other Potential Implications:

The provisions of this bill would further establish the role of community colleges in awarding baccalaureate degrees, thereby increasing the access of Florida's residents to such degrees.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the DOE, the fiscal impact of the bill cannot be determined at this time. The costs would be related to:

- Costs associated with institutional name changes in a variety of areas such as signage, publications, documentation, and other related items;
- The cost to colleges of seeking accreditation/approval as well as all other operational costs associated with the implementation of upper level programs; and
- Increased state support for the additional upper level programs at these colleges.

Historically, for the most part, the colleges have borne start-up costs within existing budget. For FY 2008-09, \$10,015,201 is appropriated for enrollment in community college baccalaureate programs at ten colleges.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Higher Education Appropriations on April 20, 2009:

The committee substitute:

- Provides for continuing approval of new baccalaureate programs at Florida colleges by the State Board of Education. However, it provides for a college to

gain exemption from the State Board of Education approval after certain rigorous criteria have been met. The approval process includes timely notification to the Board of Governors of the University System for their input into a program proposal, including providing lower cost alternatives. The rigorous review includes an evaluation of whether the college has maintained its primary mission of meeting local resource needs and goals in the college's AA, AS and Workforce programs.

- Retains St. Petersburg College's authority to provide baccalaureate degrees as its board of trustees decides is necessary in its service area.
- Restores the current names of Florida Keys Community College and Florida Community College at Jacksonville.

CS by Higher Education on April 7, 2009:

The committee substitute:

- Revises the authority of community colleges to offer baccalaureate degrees if the proposed degrees meet certain workforce needs and the offering of the degree is financially feasible for the college; and
- Renames Florida Keys Community College to Florida Keys College.

B. Amendments:

None.