

The Florida Senate
PROFESSIONAL STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

Prepared By: Higher Education Appropriations Committee

BILL: CS/SB 1570

INTRODUCER: Higher Education Appropriations and Senator Lynn

SUBJECT: Community Colleges/Baccalaureates

DATE: April 16, 2007

REVISED: _____

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

I. Summary:

This bill revises requirements with regard to community college baccalaureate degree programs to:

- Specify that community colleges granting baccalaureate degrees will remain under the authority of the State Board of Education with respect to planning, coordination, oversight, and budgetary and accountability responsibilities;
- Delineate the powers and duties of community college boards of trustees;
- Authorize a community college to develop proposals to deliver baccalaureate degree programs in math and science that would prepare graduates to enter certain professions; and
- Specify the elements that must be present in formal agreements to deliver baccalaureate degree programs by other institutions at community college sites.

The Committee Substitute for SB 1570 specifies that non-recurring start-up costs for baccalaureate programs will be generally borne by the colleges and reflects the state policy that operating costs for baccalaureate programs should be at no more than 85% of university instructional costs. The CS states that funding and reporting for community college baccalaureate programs and other traditional concurrent-use baccalaureate partnerships should be separately maintained and clarifies how the reporting of nonresident FTE students are handled.

This bill amends sections 1001.64, 1007.33, 1009.23, and 1011.83 of the Florida Statutes.

II. Present Situation:

Community College Mission

Section 1004.65, F.S., defines the primary mission and responsibilities of community colleges as responding to community needs for postsecondary academic education and career degree education. Their mission and responsibilities include being responsible for: providing lower level undergraduate instruction and awarding associate degrees; preparing students directly for careers requiring less than baccalaureate degrees; providing student development services; promoting economic development within a college's respective district; and providing dual enrollment instruction. Providing upper level instruction and awarding baccalaureate degrees as specifically authorized by law is a separate and secondary role.

Options for Expanding Access to Baccalaureate Degrees on Community College Campuses

Florida has two primary options for increasing the provision of baccalaureate degrees on community college campuses:

- The community college may enter into a formal agreement with another postsecondary institution to provide undergraduate programs.
- The community college may submit a proposal to the State Board of Education (SBE) to deliver specified baccalaureate degree programs in the district to meet local workforce needs.

These methods are not mutually exclusive. Some community colleges offer baccalaureate degrees and also have partnerships with public or private 4-year institutions to offer baccalaureate degrees. Some community colleges have established an on-site "university center" through which students may receive academic advising, financial aid assistance, and other student services.

Section 1004.03(2)(c), F.S., encourages cooperative programs, especially between institutions within the same regions of the state. Section 1007.22, F.S., authorizes and encourages intrainstitutional and interinstitutional programs to maximize articulation. In most cases, bachelor's degrees offered at a community college are provided through a partnership between the community college and a public or private 4-year institution. While the courses are taken on the community college campus or via distance learning, the degree is awarded by the partnering 4-year institution.

According to the Department of Education, 27 of Florida's community colleges currently offer upper-level courses through concurrent-use or joint-use partnerships. Approximately 20,000 students are enrolled in these programs. Concurrent-use partnerships have provided access to 367 upper-level baccalaureate programs, 87 masters programs, 5 specialist programs, and 14 doctoral programs on community college campuses or shared facilities. These partnerships were with:

- Nine public state universities;
- Ten private Florida institutions; and
- Six colleges/universities outside of Florida.

Community colleges are authorized to offer baccalaureate degrees by two Florida statutes. Under s. 1004.73, F.S., St. Petersburg College is authorized to offer baccalaureate degrees to address the state's workforce needs for teachers, nurses, and business managers in agencies and firms that require expertise in technology. The statute authorizes the college to offer additional baccalaureate degree programs four years after first being accredited to offer baccalaureate degrees, if approved by local stakeholders based on community needs and economic opportunities.

Under s. 1007.33, F.S., all community colleges may provide upper division coursework and award baccalaureate degrees. To receive this authorization, a community college must obtain approval from the State Board of Education (SBE). Approval is contingent upon documented demand for the program, unmet need in the area, and the community college having the necessary facilities and academic resources to deliver the program. Upon approval by the SBE, the college must seek the proper accreditation for the program. If the college wants to offer additional degree programs, it must go through the same evaluation cycle for each degree request.

The statute requires the community college to submit the proposal to the Council for Education Policy Research and Improvement (CEPRI) for review and comment. Until 2005, the process for obtaining approval of a site-determined baccalaureate degree involved the development of a proposal that was submitted to CEPRI. After CEPRI was not funded in the General Appropriations Act in 2005, the SBE approved a new process for proposal review and comment. As of August, 2005, proposals are now evaluated by a cross-functional review team consisting of the Division of Accountability, Research and Measurement, the Division of Community Colleges and Workforce Education, the Florida Board of Governors, and others as appropriate. The SBE still makes the final determination for community college baccalaureate degree program approval.

The following Florida community colleges have been approved to offer a total of 43 baccalaureate degree programs:

- Chipola College—Four degrees in Education, one degree in General Business Management;
- Daytona Beach Community College—One degree in Supervision and Management;
- Edison College—One degree in Public Safety Management, two degrees in Education;
- Indian River Community College—Five degrees in Education, one degree in Nursing, one degree in Organizational Management;
- Miami Dade College—Six degrees in Education, one degree in Nursing, one degree in Public Safety Management;
- Okaloosa-Walton College—One degree in Project and Acquisitions Management, two degrees in Education;
- St. Petersburg College—Fifteen degrees (six in Education, one in Nursing, and eight in various professional, technical, and management fields); and

- Florida Community College at Jacksonville—One degree in Fire Science.

Community College Boards of Trustees

Section 1001.64, F.S., sets forth the powers and duties of community college boards of trustees. Each community college board of trustees has the responsibility to govern its respective institution and has the authority to operate and improve the community college in accordance with rules of the SBE. Each board must adopt rules establishing student performance standards for the award of degrees and certificates. The board must establish fees pursuant to ss. 1009.22, 1009.23, 1009.25, 1009.26, and 1009.27, F.S., which govern workforce education, community college fees, fee exemptions, waivers, and deferral of fees, respectively. Each board must establish the personnel program for all employees of the community college.

Requirements Relating to Teaching and the Awarding of Degrees

Section 1001.65, F.S., authorizes each community college president to award degrees.

Section 1012.82, F.S., requires each full-time member of the teaching faculty at any community college who is paid wholly from funds appropriated from the community college program funds to teach a minimum of 15 classroom contact hours per week at such institution.

The State Board of Education

Section 1000.03, F.S., establishes the function, mission, and goals of the Florida K-20 education system. The State Board of Education (SBE) must oversee the enforcement of all laws and rules and the timely provision of direction, resources, assistance, intervention when needed, and strong incentives and disincentives to force accountability for results.

With regard to the community colleges specifically, s. 1001.02, F.S., requires the SBE to establish criteria for making recommendations for modifying district boundary lines for community colleges; establish criteria for making recommendations concerning all proposals for the establishment of additional centers or campuses; examine the annual administrative review of each community college; and prescribe in rule the minimum standards, definitions, and guidelines for community colleges to ensure quality of education, coordination among public postsecondary institutions, and efficient progress toward accomplishing the community college mission. At a minimum, these rules must address: personnel; contracting; program offering and classification; provisions for curriculum development, graduation requirements, college calendars, and program service areas; student admissions, conduct and discipline, non-classroom activities, and fees; budgeting; business and financial matters; student services; reports, surveys, and information systems.

Office of Program Policy Analysis and Government Accountability (OPPAGA) Report No. 05-20

In response to a legislative request, OPPAGA reviewed the issues involved in authorizing community colleges to award baccalaureate degrees as one of several options to expand access to higher education. The report, published in April 2005, found that:

Authorizing community colleges to offer baccalaureate degrees improves the state's ability to meet workforce needs and gives students more choice. However, if not carefully implemented, this step could produce unanticipated consequences including higher expenditures per student and weaker community college dedication to their traditional students. To limit these problems, the Legislature should consider several options:

- *Strengthening the process for reviewing proposals for new community college degree programs;*
- *Empowering community colleges to provide baccalaureate degrees that meet workforce needs on their campuses by the most efficient means, which could include providing incentives for partnerships with public and private institutions;*
- *Limiting community colleges' ability to offer baccalaureate degree programs;*
- *Slowly transforming some community colleges into four-year colleges that focus on teaching rather than research; and*
- *Establishing a process to coordinate degree requirements for Bachelor of Applied Science programs.¹*

State Board of Education/Board of Governor Agreement re: Baccalaureate Degrees at Community Colleges

In January 2007, the State Board of Education and the Board of Governors of the State University System entered into an agreement stating that community colleges should focus on bachelor's degrees limited to teaching, nursing, and applied science degrees that are workforce oriented in high need/high demand majors. The agreement was conditioned upon the dismissal of a claim in a legal action filed in the second judicial circuit court that challenged the authority of the State Board of Education to approve baccalaureate degree programs at community colleges.² In the agreement, the two parties stated their intention to seek legislative modification of s. 1007.33, F.S., to limit community college baccalaureate degrees to the subject areas contained in their agreement. This agreement is not binding on the Legislature.

III. Effect of Proposed Changes:

Providing Access to Baccalaureate Degrees on Community College Campuses

The bill revises the powers and duties of the boards of trustees of community colleges to authorize community colleges to grant baccalaureate degrees pursuant to s. 1007.33, F.S. Community colleges that grant baccalaureate degrees will remain under the authority of the State Board of Education with respect to planning, coordination, oversight, and budgetary and accountability responsibility.

¹ The Florida Legislature. Office of Program Policy and Government Accountability. "Authorizing Community Colleges to Award Baccalaureate Degrees Is One of Several Options to Expand Access to Higher Education. April 2005. Readable at: <http://www.oppaga.state.fl.us/reports/educ/r05-20s.html>

² *Floridians for Constitutional Integrity, Inc., et al v. State Board of Education and Board of Governors*. Case No. 2004-CA-3040.

The board of trustees of a community college will serve as the governing board for purposes of granting baccalaureate degrees as authorized in s. 1007.33, F.S., and approved by the State Board of Education. The board of trustees may award degrees, diplomas, and certificates as authorized until the college receives any necessary changes to its accreditation. Each board of trustees must establish tuition and out-of-state fees for approved baccalaureate degree programs consistent with law and proviso language in the General Appropriations Act. However, a board of trustees may not vary tuition and out-of-state fees as provided in s. 1009.23(4), F.S. Each board of trustees must adopt a policy providing that faculty who teach upper division courses that are a component part of a baccalaureate degree program must meet the requirements for classroom contact hours under s. 1012.82, F.S.

The bill authorizes a community college to develop proposals to deliver baccalaureate degree programs in math and science that would prepare graduates to enter a teaching position in math or science or employment in a position that requires a baccalaureate degree in math or science.

A formal agreement for the delivery of specified baccalaureate degree programs by a regionally accredited public or private college or university at a community college site must include:

- A guarantee that students will be able to complete the degree in the community college district;
- A financial commitment to the development, implementation, and maintenance of the specified degree program on behalf of the college or university which includes timelines;
- A plan for collaboration in the development and offering of the curriculum for the specified degree by faculty at both the community college and the college or university. The curriculum for the specified degree must be developed and approved within six months after the agreement between the community college and the college or university is signed.

A community college proposal to deliver a specified baccalaureate degree program must document that the community college has notified in writing the accredited public and private colleges and universities in the community college's district of its intent to seek approval for delivery of the proposed program. The notified colleges and universities have 90 days to submit in writing to the community college an alternative plan for providing the specified degree program.

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The bill will take effect July 1, 2007.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

To the extent that the provisions of the bill increase access to baccalaureate degrees for individuals, the bill could have a positive effect toward meeting local workforce needs.

C. Government Sector Impact:

The bill contains administrative provisions and policies which help shape the operation of community college baccalaureate programs. It has no direct fiscal impact on existing programs or programs currently being phased-in. The Senate General Appropriations Bill (SB 2800) for 2007-08 provides \$10,281,995 in General Revenue funding for new, current, and expanded baccalaureate programs at eight colleges.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Summary of Amendments:

None.

This Senate Professional Staff Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
