

**STORAGE NAME:** h0159s1b.ccc  
**DATE:** February 23, 1998

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
COMMUNITY COLLEGES & CAREER PREP  
FINAL BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

**BILL #:** CS/HB 159, 2nd Engrossed (as passed by the 1997 House of Representatives)

**RELATING TO:** Community College Faculty Diversity Program

**SPONSOR(S):** Committee on Community Colleges and Career Prep and Representative Dennis

**STATUTE(S) AFFECTED:** Amends s. 240.498, F.S.

**COMPANION BILL(S):** SB 390 by Senator Holzendorf

**ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:**

(1)	COMMUNITY COLLEGES & CAREER PREP	YEAS 9	NAYS 0
(2)	EDUCATION APPROPRIATIONS	YEAS 9	NAYS 1
(3)			
(4)			
(5)			

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I. SUMMARY:

**CS/HB 159, 2nd Engrossed, passed the House and was referred to the Senate Education Committee. Upon adjournment of the 1997 Session, the bill was carried over to the 1998 Session pursuant to House Rule 96, and was placed on House Consent Calendar. Also see the Amendment and Final Action sections of this bill research.**

This bill intends to increase the pool of eligible ethnic and gender minority candidates available for employment by increasing the number of ethnic and gender minorities employed in faculty, executive, administrative, and managerial positions in the state community college system.

This bill would create a new program within the Florida Education Fund that would provide fellowships for qualified ethnic minorities and women. Students receiving fellowship awards would be eligible to receive state and local funding support. The program would be operated by policies, including selection criteria, established by the Florida Education Fund and adopted by the board of directors.

Community college faculty would be able to pursue masters and doctorate degrees in any field. After completing the scholarship program, recipients would return to work for the sponsoring community college or repay the amount of aid received.

Recurring state costs are indeterminate. Sponsoring community colleges would realize a recurring fiscal impact of the full salary and the corresponding benefits based on the salary earned by a candidate during the length of the program.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

Comparable programs in Florida are currently funded through the Florida Education Fund (s. 240.498, F.S.). Income from an endowment grant from the McKnight Foundation and other sources are used for specified programs. The programs are designed to enhance the quality of higher educational opportunity within the state, to enhance equity by providing access to effective higher education programs by minorities and economically disadvantaged individuals, and to increase the representation of minorities in faculty and administrative positions in higher education in Florida.

Although the community college system meets the national standards in regard to ethnic and gender equity in employment, individual institutions are striving to meet or exceed their equity goals established in their institutional equity accountability plans.

B. EFFECT OF PROPOSED CHANGES:

Increases the pool of eligible ethnic and gender minority candidates

This bill intends to increase the pool of eligible ethnic and gender minority candidates available for employment by increasing the number of ethnic and gender minorities employed in faculty, executive, administrative, and managerial positions in the state community college system.

Provides scholarship funds for minority candidates

The CS/HB 159 would create a new program within the Florida Education Fund, in conjunction with the McKnight Foundation. Operation of the program would be based on the policies established by the Florida Education Fund and adopted by the board of directors. Selection of participants would be based, at least in part, on an assessment of potential for success, merit, and financial need as well as representation of participants throughout the state.

Students would be able to receive funds from two sources: the Florida Education Fund and the sponsoring community college. Students would receive a combination of a stipend and their full salary and benefits, determined at the time of their initial participation in the program. After completing the scholarship program, participants would return to the community college to provide service for a period of time equal to the amount of time for which the participant received aid, up to three years, or would repay the amount of aid received.

Expands Opportunities for Community College Faculty

This program would be similar to those listed in s. 240.498(3)(a-c), F.S., offered through the Florida Education Fund and in conjunction with the McKnight Foundation. However, participation in the program proposed by this bill would be limited to current employees of Florida's community colleges. Additionally, unlike the current McKnight Foundation programs, this proposed program would require the recipients to work at their respective community college once they earned their masters or doctorate degree.

The program established by this bill would allow current college faculty to pursue masters or doctorate degrees without any limitation on the type of degree program, unless specifically stated in the guidelines developed by the Florida Education Fund.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

NA.

(2) what is the cost of such responsibility at the new level/agency?

NA.

(3) how is the new agency accountable to the people governed?

NA.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

Funds to support the program would be appropriated from General Revenue.

b. Does the bill require or authorize an increase in any fees?

No.

c. Does the bill reduce total taxes, both rates and revenues?

No.

d. Does the bill reduce total fees, both rates and revenues?

No.

e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

Only if the scholarship recipient chooses not to work for the community college in repayment of the financial benefits received. In such an instance, the recipient would have to repay the amount of aid received.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

The bill would increase opportunities for twenty community college minority faculty and staff to earn advanced degrees which could lead to career advancement.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

NA.

- (2) Who makes the decisions?

NA.

- (3) Are private alternatives permitted?

NA.

- (4) Are families required to participate in a program?

NA.

- (5) Are families penalized for not participating in a program?

NA.

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

- (1) parents and guardians?

NA.

- (2) service providers?

NA.

- (3) government employees/agencies?

NA.

**D. SECTION-BY-SECTION RESEARCH:**

Section 1. Amends s. 240.498, F.S., to create a new program within the Florida Education Fund. Provides for selection of scholarship participants, distribution of the appropriation to the Florida Education Fund, and repayment of aid received.

Section 2. Provides that the act will take effect on July 1, 1997.

**III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:**

**A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:**

1. Non-recurring Effects:

None.

2. Recurring Effects:

Indeterminate. To implement this bill an appropriation would have to be made each year to provide scholarships.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

None.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:**

1. Non-recurring Effects:

None.

2. Recurring Effects:

Sponsoring community colleges would realize a recurring fiscal impact of the full salary and the corresponding benefits earned by the candidate during the length of the program. The 1996 Fact Book for the community college system lists an average salary for full time faculty at approximately \$37,000, and the Division of Community Colleges estimates the cost of benefits to be nearly \$8,000 annually.

3. Long Run Effects Other Than Normal Growth:

Anticipated decrease in costs associated with community college employment searches to fill job vacancies since the availability of eligible minority candidates in Florida would be increased.

C. **DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

Twenty community college employees would benefit from having expenses associated with the attainment of an advanced degree paid for by the state.

3. Effects on Competition, Private Enterprise and Employment Markets:

The marketability of the twenty recipients of the scholarship would be increased due to the receipt of an advanced degree.

D. **FISCAL COMMENTS:**

The total impact on the community colleges is indeterminate. The bill does not indicate if students would only have to repay the amount of fellowship money received or if they would also have to repay the value of the salary and benefits should they chose not to work for the community college after completing their program of study.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. **APPLICABILITY OF THE MANDATES PROVISION:**

N/A

B. **REDUCTION OF REVENUE RAISING AUTHORITY:**

N/A

C. **REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:**

N/A

V. COMMENTS:

The foundation of this bill was drafted by staff of the Division of Community Colleges with input from the staff of the Florida Education Fund. It was intended for use as a vehicle for increasing the pool of eligible minority candidates.

The nature of this bill does not provide specific details to determine the exact amount of funds students will receive through the program nor how much they would have to repay if they chose not to provide service back to the sponsoring community college. It makes no references to allowances for hardships or extenuating circumstances.

**VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:**

Committee Amendment

A "strike everything after the enacting clause" amendment to HB 159 provided for the following changes:

- the appropriation request was reduced from \$510,000 to \$500,000.
- the amount per scholarship was increased from \$17,000 per year to \$25,000 per year.
- the appropriation was given to the Florida Education Fund and not the Southern Regional Education Board.
- the community colleges must provide **full** salary and benefits to the recipients as opposed to permitting, but not requiring, the colleges to provide **half** of the salary and full benefits to the recipient.
- the amendment gave the Florida Education Fund full discretion to determine program and selection requirements. HB 159 required that participants must attend school full-time and pursue a doctoral degree in any field, with emphasis on mathematics, science, and fields other than education or professional areas.

Floor Amendment #1

On April 24, 1997, CS/HB 159 was amended on the House floor during 2nd Reading to conform the bill to the Senate companion by clarifying that the fellowships are for master's and doctoral students.

Floor Amendment #2

On April 24, 1997, CS/HB 159 was amended on the House floor during 2nd Reading to conform the bill to the Senate companion by changing the words "Florida's community colleges" to "the State Community College System".

Floor Amendment #3

On April 28, 1997, CS/HB 159, First Engrossed, was amended on the House floor during 3rd Reading to remove the section of the bill which provided for an appropriation and the number of fellowships to be awarded.

**VI. FINAL 1997 ACTION:**

CS/HB 159, 2nd Engrossed, passed the House on April 28, 1997, with a vote of 116 Yeas and 0 Nays, and was referred to the Senate Education Committee. Upon adjournment of the 1997 Session, the bill was carried over to the 1998 Session pursuant to House Rule 96, and was placed on House Consent Calendar. The companion bill (CS/SB 894 by Senator Holzendorf) was withdrawn from the Senate Ways & Means Committee, but died on the Senate Calendar.

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VII. SIGNATURES:

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