

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 1664

SPONSOR: Education Committee and Senator Horne

SUBJECT: Training School Pilot Projects

DATE: April 19, 1999 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>White</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	_____	_____	<u>FP</u>	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____

I. Summary:

This committee substitute creates two pilot projects in which programs currently offered by school districts are transferred to community colleges. The programs are for criminal justice training in Leon and St. John's counties. The bill will also transfer real property owned by the school district to the community college. The transfer will be by lease if any part of the property is paid for by local tax dollars and by multi-use agreement if any part of the facility is used for other purposes in addition to public criminal justice training.

This bill creates a new section of the Florida Statutes, as yet undesignated.

II. Present Situation:

Ten school districts and 22 community colleges deliver vocational certificate programs in law enforcement, corrections, fire fighter training, or a combination. School districts account for about 24 percent of the law enforcement training and community colleges 76 percent. In some cases, programs have shifted from one delivery system to another. In December 1998, Pinellas County requested the transfer of funds related to the criminal justice program from the school district to St. Petersburg Community College. That budget amendment has been requested by the Department of Education.

Community colleges have always been funded with state funds exclusively, but until 1997, school districts used local tax revenue for some facilities. Some technical centers owned and operated by school districts were constructed using mostly federal funds.

Law enforcement and corrections training must be approved by the Criminal Justice Standards and Training Commission.

Until 1997, with the passage of CS/CS/SB 1688, the two local education agencies were required to have a local articulation agreement if both the community college and school district conducted

the same vocational certificate program. Laws passed in 1997 and 1998 made those local articulation agreements obsolete by requiring statewide articulation of programs and courses among school districts and community colleges. The decision was still locally determined, but after 1998, both institutions could offer the training, although the training would still have to be approved by the Criminal Justice Standards and Training Commission.

Opinions differ about which delivery system is better or more cost effective. Because of the disparity in types of funding and reporting requirements prior to 1997, available data are inadequate to make firm statements one way or the other.

Judged by passing rates on examinations required for employment, both systems are effective, with the overall passing rate for community colleges at 78 percent and for school districts at 81 percent. The three programs with the lowest passing rate were at community colleges and the three with the highest passing rate were at school districts.

In terms of outputs and outcomes, these programs are among the most successful in the state, no matter whether they are offered by a school district or college. With the new funding formula approved for initial implementation in 1999, programs that produce completers and placements are more lucrative for the local education agency that delivers them.

III. Effect of Proposed Changes:

Programs Affected

The committee substitute will transfer two existing public criminal justice training programs at school district technical centers into pilot training centers at the community colleges: Tallahassee Community College and St. John's River Community College. The bill would move responsibility for existing programs from school district technical centers to these pilot centers.

The programs to be transferred are basic recruit, advanced, career development, and continuing training courses and programs offered in public criminal justice training programs.

Real Property Transfer

The bill makes the following arrangements for the transfer to the community college of real property owned by the school district:

If the facility was paid for with only state funds, ownership will be transferred outright, except for a multi-use arrangement in case the facility is partly used for another purpose in addition to public criminal justice training. In the latter case, the Criminal Justice Standards and Training Commission will mediate the transfer.

If the facility was paid for in whole or in part with local tax funds, it will be leased to the community college. If the facility is partly used for another purpose in addition to public criminal justice training, the Criminal Justice Standards and Training Commission will mediate the transfer.

In case the school district and community college cannot agree on the terms of the lease, the bill says that the commission shall finalize the agreement and report its decision to the Legislature.

The Department of Education, Office of Educational Facilities, will report by December 31, 1999, on the amount of local tax contribution used in the construction of a school-district-owned criminal justice training program, educational facility, or educational plant affected by the transfer. This report will be used to establish a purchase price for the facility. Knowing the price, the community college may request state funding to purchase the facility. The budget request must go through the State Board of Community Colleges to the Legislature.

Community College Requirements for Transfer

Pilot centers will have to obtain certificates of compliance for the newly established centers from the Criminal Justice Standards and Training Commission for uniform policies and procedures.

The community college must also:

- Establish an advisory committee made up of professionals from all the fields represented in the pilot project.
- Provide certificate and noncredit options for students.
- Develop articulation agreements with the state university system to facilitate the transfer of graduates into a corresponding state university program.

The community college may choose to transfer staff from the existing center to the pilot center at the same rate of pay.

Funding

The bill provides that funding generated by students in pilot centers, including workforce development recurring and nonrecurring funds, will be transferred from the school district to the community college.

The bill provides for a “declining enrollment” payment to the school district of 15 percent of the funding generated under the Florida Education Finance Program for the program in 1996-1997. That year was the last in which workforce development education programs were funded through the FEFP. The declining enrollment provision is in the law authorizing the FEFP, s. 236.081 (7), F.S.

Community colleges will receive 90 percent of the funding generated for the program from the FEFP in 1996-1997.

Fees

Fees for students in these two pilot projects may not exceed 25 percent of the cost of the course. This fee level differs from every other program in continuing workforce education, where the fees must rise to 50 percent of the cost, effective July 1, 1999.

Summary

These changes will effectively transfer all aspects of the governance of these two centers from the school district to the community college.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. Other Constitutional Issues:

The bill requires the Criminal Justice Standards and Training Commission to “finalize” an agreement if the school district and community college cannot agree on the terms and conditions of a lease agreement. The Constitution requires the elected school board to control property purchased with local taxes and makes no provision for that authority to be delegated to a third party.

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill requires the community college to be funded at 90 percent of the amount generated by the program through the FEFP in 1996-1997. It requires the school district to be compensated by an amount equal to 15 percent of the amount generated by the program through the FEFP in 1996-1997. That means that an extra 5 percent will need to be provided by the Legislature, since the funding provided through the Workforce Development Education Fund in years since 1996-1997 has been constant.

VI. Technical Deficiencies:

None.

VII. Related Issues:

Staff in the Department of Education are concerned about the possibility that the community colleges might not retain staff after the transfer. Existing union contracts might require a school district to retain employees after the transfer, even though their jobs would be eliminated.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.
