

**STORAGE NAME:** h0179s1.ccc

**DATE:** February 16, 1999

**HOUSE OF REPRESENTATIVES  
COMMITTEE ON  
COMMUNITY COLLEGES AND CAREER PREP  
ANALYSIS**

**BILL #:** CS/HB 179

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

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

**COMPANION BILL(S):**

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

- (1) COMMUNITY COLLEGES AND CAREER PREP YEAS 7 NAYS 1
  - (2) COLLEGES AND UNIVERSITIES
  - (3) EDUCATION APPROPRIATIONS
  - (4)
  - (5)
- 

**I. SUMMARY:**

This bill would increase the pool of eligible ethnic and gender minority candidates available for senior-level employment 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 in accordance with policies established by the Florida Education Fund, adopted by the board of directors, and approved by the State Board of Community Colleges.

After completing the program, scholarship recipients would return to their position within the community college system to provide at least one full academic year of service for each year of funding in the program or repay the amount equal to the full cost of state support provided by the program and the sponsoring community college.

An appropriation of \$250,000 from General Revenue for the Division of Community Colleges to enter into an agreement with the board of directors of the Florida Education Fund for fiscal year 1999-2000 would be sufficient to fund the program. Sponsoring community colleges would realize a recurring fiscal impact of up to one half of the salary and the corresponding benefits earned by a candidate during the length of the program. There would be a minimal non-recurring fiscal impact on the State Board of Community Colleges due to the promulgation of rules.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Programs that encourage minority doctoral study 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 these 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.

Section 240.3355, Florida Statutes, requires community colleges to develop plans to increase the representation of women and ethnic minorities in senior level administrative and full-time faculty positions. These plans are to be outlined in the annual equity update of each community college.

B. EFFECT OF PROPOSED CHANGES:

Increases the pool of eligible ethnic and gender minority candidates

This bill would increase the pool of eligible ethnic and gender minority candidates available for employment in faculty, executive, administrative, and managerial positions in Florida community colleges by increasing the number of ethnic and gender minorities with doctoral degrees.

Provides scholarship funds for minority candidates

The CS/HB 179 would create a new program within the Florida Education Fund. Operation of the program would be based on the policies established by the Florida Education Fund, adopted by the board of directors, and approved by the State Board of Community Colleges. 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. Preference will be given to candidates who are employed by institutions where ethnic and gender minorities are under represented and to candidates pursuing doctoral study in fields that are consistent with the goals of the sponsoring community college.

Students would receive funds from the Florida Education Fund and the sponsoring community college. Each fellow would receive a minimum of \$23,000 to help defray the costs of doctoral study and the cost of replacement. Students would receive a combination of a stipend and up to half of their salary and benefits, determined at the time of their initial participation in the program. Allowances may also be made by the board of directors to provide partial fellowships (equivalent to 10 full scholarships) for students who may not be able to attend school full time.

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 repay an amount equal to the total cost of state support provided by the program and the sponsoring community college (including salary & benefits). The State Board of Community Colleges would be authorized to adopt rules, including procedures for repayment of funds for fellows who do not complete the program or do not return to their sponsoring community college upon completion.

Expands Opportunities for Community College Faculty

This program is similar to those listed in s. 240.498(3)(a-c), F.S., offered through the Florida Education Fund 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 McKnight Foundation programs, this proposed program would require the recipients to work at their respective community college once they have earned their doctoral degree.

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?

Yes, The State Board of Community Colleges would have authority to make rules for the implementation of this bill.

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

The State Board of Community Colleges would need to approve the selection of candidates in accordance with the policies of the Florida Education Fund. The SBCC would also be responsible for adopting rules regarding the procedures for the repayment or forgiveness of benefits received.

The board of directors for the Florida Education Fund would be responsible for providing financial, academic and other support to program participants and for the distribution of funds to sponsoring community colleges. The sponsoring community colleges would be responsible for granting release time to participants and as well as a continuation of the fellow on the payroll at up to half salary. The sponsoring community college would also be responsible for finding a temporary replacement, if necessary, for the fellow.

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

No.

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

An agency or program is not eliminated or reduced.

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

N/A

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

N/A

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

N/A

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 sponsoring community college is repayment of the financial benefits required. In such an instance, the recipient would have to repay an amount equal to the total cost of state and local support provided by the program, including applicable interest.

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 ten community college minority faculty and staff to earn doctoral 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:

This bill does not purport to provide services to families or children.

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

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

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

N/A

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

N/A

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:

This bill does not create or change a program providing services to families or children.

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

**D. STATUTE(S) AFFECTED:**

Section 240.498, Florida Statutes.

**E. SECTION-BY-SECTION ANALYSIS:**

Section 1. Amends s. 240.498, F.S. to create the Community College Faculty Diversity Program within the Florida Education Fund.

Section 2. Provides for an appropriation.

Section 3. Provides that the act will take effect on July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

An appropriation of \$250,000 from General Revenue to the State Board of Community Colleges (to enter into an agreement with the Florida Education Fund) for fiscal year 1999-2000 would be sufficient to fund 10 fellowships at a minimum of \$23,000 per fellow, which would include the cost of a temporary replacement for the fellow.

Minimal impact on the State Board of Community Colleges due to promulgation of rules.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

4. Total Revenues and Expenditures:

A one time appropriation of \$250,000 from general revenue.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

Minimal fiscal impact on community colleges for the identification and nomination of program candidates and the search for a temporary replacement for each fellow.

2. Recurring Effects:

Sponsoring community colleges would realize a recurring fiscal impact of up to one half of the salary and the corresponding benefits earned by the candidate during the length of the program. According to the Division of Community Colleges, the estimated cost would be an average of \$26,713 per candidate per year to pay for half of annual salary plus full benefits. The total approximate cost for the system would be \$267,130 per year and \$801,390 over three years.

3. Long Run Effects Other Than Normal Growth:

Anticipated decrease in costs associated with employment searches for 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:

None.

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

The marketability of the ten recipients of the scholarship would be increased due to the receipt of the doctoral degree.

D. **FISCAL COMMENTS:**

None.

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

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

This bill does not require counties or municipalities to spend funds or to take an action requiring the expenditure of funds.

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

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

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

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

An appropriation of \$500,000 has been included in the 1999-2000 Legislative Budget request for the Division of Community Colleges to fund 20 scholarships of \$25,000 each for fiscal year 1999-2000. Scholarships could be used by employees to complete one year of masters or doctoral study. The requisite appropriations will be requested each year over the next two consecutive years.

The substance of this bill has been filed in previous legislative sessions. It died in House Appropriations Committee without a Senate companion in 1995 and was withdrawn from the Higher Education and Appropriations Committees in 1996. In 1997, the bill passed the



House and was carried over to the 1998 session pursuant to House Rule 96 and placed on House Consent Calendar. The companion bill was withdrawn from the Senate Ways and Means Committee, but died on the Senate Calendar. In 1998, the bill died in House returning messages.

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

A "strike everything after the enacting clause" amendment to HB 179 provided for the following changes:

- The appropriation request was increased from \$240,000 to \$250,000
- The amount per scholarship was changed from \$8,000 per year per candidate for three years to a total award of \$23,000 per fellow, including support costs. Administrative costs are not to exceed 8%.
- The appropriation was given to the State Board of Community Colleges/Florida Education Fund rather than to the Commissioner of Education/Southern Regional Education Board.
- The requirement for full-time school attendance of fellows was changed to allow for partial fellowships to be granted.
- The amendment specified that selection of candidates must consider applicants pursuing fields of study which are consistent with the goals of the sponsoring community college.
- Authorizes the board of directors of the Florida Education Fund to enter into agreements with the SREB to support community college fellows requiring doctoral study at institutions outside of Florida that participate in the SREB Doctoral Scholars Program.

**VII. SIGNATURES:**

**COMMITTEE ON COMMUNITY COLLEGES AND CAREER PREP:**

Prepared by:

Staff Director:

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Heather R. Sherry

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Stacey S. Webb