

STORAGE NAME: h713.ccc
DATE: March 24, 1999

HOUSE OF REPRESENTATIVES
COMMITTEE ON
COMMUNITY COLLEGES & CAREER PREP
ANALYSIS

BILL #: HB 713

RELATING TO: Training Centers

SPONSOR(S): Rep. Kelly

COMPANION BILL(S): SB 1664, by Sen. Horne

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

- (1) COMMUNITY COLLEGES & CAREER PREP
(2)
(3)
(4)
(5)
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I. SUMMARY:

Currently, law enforcement and corrections training programs are vocational certificate programs which can be conducted at either vocational-technical centers operated by school districts or at community colleges. Similarly, training for fire fighters is a vocational certificate program offered at either a school district vo-tech center or a community college. Currently, criminal justice and fire training are independent of one another.

The bill would transfer four existing law enforcement, corrections, firefighter, officer, and public criminal justice training programs at vocational-technical centers into pilot training centers at four community colleges: Lake-Sumter Community College, Tallahassee Community College, St. Johns River Community College, and St. Petersburg Junior College. The bill would move responsibility for existing programs from school district vo-tech centers to these pilot centers. The bill would also transfer ownership of school district owned real property to the respective community college.

The bill would authorize the Criminal Justice Standards and Training Commission and the Firefighter Standards and Training Council to waive any provisions of law or rule which would prohibit the pilot centers from utilizing innovative methods. The bill provides that funding generated by students in pilot centers; including FTE, recurring, and nonrecurring funds; would be transferred from the school district to the community college.

The bill would require a 5 year longitudinal study to be conducted by the State Board of Community Colleges and the Office of the Auditor General identifying the effects of the pilot programs relative to costs and efficiency.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Currently, law enforcement and corrections training programs are vocational certificate programs which can be conducted at either vocational-technical centers operated by school districts or at community colleges, except that all law enforcement and corrections training must be approved by the Criminal Justice Standards and Training Commission (CJSTC). Similarly, training for fire fighters is a vocational certificate program offered at either a school district vo-tech center or a community college and must be approved by the Firefighter Standards and Training Council (FSTC). Currently, criminal justice and fire training are independent of one another.

If such programs are offered at a community college, the college then owns or leases the facilities in which it operates the program, and collects fee revenue and state appropriations for the program. Likewise, if the programs are offered at a school district vo-tech center, the school district owns or leases the facilities in which it operates the program, and collects fee revenue and state appropriations for the program. It should be noted that as of the changes in funding beginning with CS/CS/SB 1688 and CS/CS/SB 1124, school districts and community colleges are not funded based on enrollment counts, but are funded with an 85% allocation based on their prior year appropriation and a 15% allocation based on completions and placements. Prior to SBs 1688 and 1124, the decision regarding whether the school district or the community college would offer the training programs in an area was made based on a local articulation agreement. SBs 1688 and 1124 made those local articulation agreements obsolete by requiring statewide articulation of programs and courses between school districts and community colleges. The decision was still locally determined, but after 1688 and 1124, both institutions could offer the training, although the training would still have to be approved by either the CJSTC or the FSTC.

B. EFFECT OF PROPOSED CHANGES:

The bill would transfer four existing law enforcement, corrections, firefighter, officer, and public criminal justice training programs at vocational-technical centers into pilot training centers at four community colleges: Lake-Sumter Community College, Tallahassee Community College, St. Johns River Community College, and St. Petersburg Junior College. The bill would move responsibility for existing programs from school district vo-tech centers to these pilot centers. The bill would also transfer ownership of school district owned real property to the respective community college.

Pilot centers would have to obtain certificates of compliance for the newly established centers from the Criminal Justice Standards and Training Commission or the Firefighters Standards and Training Council for uniform policies and procedures and must also comply with the following: the community college board of trustees must establish an advisory committee made up of professionals from all the fields represented in the pilot project, adopt a schedule for reimbursement to the school district from funds provided by the Legislature, provide certificate and noncredit options for students, and develop articulation agreements with the state university system for facilitate the transfer of graduates into a corresponding state university program. Additionally, the community college may elect to transfer staff from the existing center to the pilot center at the same rate of pay.

These changes would effectively transfer all aspects of the governance of these four centers from the school district to the community college and would be a new policy direction, different from the direction of SBs 1688 and 1124. If funds are appropriated from the Legislature, reimbursement could be available to school districts for facilities that would be transferred; this could make up for local funds which may have been used to fund the school district facilities. In areas where criminal justice and firefighter facilities are co-mingled with other school district programs, the language in the bill may not be sufficient.

Staff transfers would be permissive in the bill (rather than required). This means that community colleges have the option to transfer staff, but are not mandated to do so; some staff of the existing centers could potentially be unemployed due to these transfers. The Department of Education indicates that, due to existing union contracts in some areas, a school district could potentially be required to retain an employee after the transfer, even though there would no longer an appropriate program within which they could work.

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The bill would authorize the Criminal Justice Standards and Training Commission and the Firefighter Standards and Training Council to waive any provisions of law or rule which would prohibit the pilot centers from utilizing innovative methods.

The bill provides that funding generated by students in pilot centers; including FTE, recurring, and nonrecurring funds; would be transferred from the school district to the community college. As noted in the Present Situation Section of this analysis, school districts and community colleges are not funded based on enrollment counts, but are funded with an 85% allocation based on their prior year appropriation and a 15% allocation based on completions and placements.

The bill would require a 5 year longitudinal study to be conducted by the State Board of Community Colleges and the Office of the Auditor General identifying the effects of the pilot programs relative to costs and efficiency.

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?

Yes. The bill requires community college boards of trustees (in the four pilot areas) to establish an advisory committee and adopt a schedule for reimbursing school districts; and the State Board of Community Colleges would be required to study the effects of this bill in conjunction with the Auditor General.

(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?

Four programs are transferred from school districts to community colleges. The funds associated with the programs are also transferred in the bill.

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

The funds associated with the programs are also transferred in the bill.

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

There is no new agency. Community colleges are currently held accountable by accountability measures reported to the Legislature in an annual plan, and by performance funding.

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

No.

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?

No.

4. Individual Freedom:

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

No.

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

The bill transfers programs that are currently offered by four school districts to four community colleges.

5. Family Empowerment:

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

The 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

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(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:

The 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:

Creates an unspecified section of the Florida Statutes.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Creates training school consolidation pilot projects.

Section 2. Provides that the act shall take effect upon becoming a law.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

The bill authorizes funds to be provided by the Legislature for the purpose of reimbursement to school districts for loss of profits from the Florida Education Finance Program (FEFP) and for locally documented local funds previously expended for facilities. The bill does not define or prescribe how profit reimbursement will be determined, and information on local facilities expenditures has not been submitted to date, therefore the fiscal impact is indeterminate at the time.

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

Indeterminate.

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

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

N/A

D. FISCAL COMMENTS:

The bill authorizes funds to be provided by the Legislature for the purpose of reimbursement to school districts for loss of profits from the FEFP, however these programs are not funded from the FEFP, but from the Workforce Development Education Fund (WDEF).

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

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

N/A

V. COMMENTS:

N/A

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COMMITTEE ON COMMUNITY COLLEGES & CAREER PREP:
Prepared by: Staff Director:

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