

STORAGE NAME: h1673s1a.ed

DATE: April 26, 2000

**HOUSE OF REPRESENTATIVES
AS REVISED BY THE COMMITTEE ON
EDUCATION APPROPRIATIONS
ANALYSIS**

BILL #: CS/HB 1673

RELATING TO: Workforce Development Education

SPONSOR(S): Community Colleges and Career Prep, Representative Wise & Others

TIED BILL(S):

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

- (1) COMMUNITY COLLEGES & CAREER PREP YEAS 9 NAYS 3
 - (2) EDUCATION APPROPRIATIONS YEAS 7 NAYS 4
 - (3)
 - (4)
 - (5)
-

I. SUMMARY:

The committee substitute transfers, effective July 1, 2002, all public adult workforce development education programs, area technical centers, and similar facilities from public school districts to the community college system. Legislative intent is provided which lists the benefits of consolidating adult workforce and vocational programs under the community college system and states that community colleges will be responsible for the provision of public adult workforce development education programs and that school districts will be responsible for the provision of secondary vocational education programs.

The committee substitute requires the local community college board of trustees and related school boards to develop a formal agreement by July 1, 2002, on the governance and delivery of workforce development programs. A statewide independent panel shall be convened to develop and implement an agreement should an agreement not be adopted by July 1, 2002.

The committee substitute requires that the accreditation and certification status of all adult workforce development education programs transferred from school districts to community colleges be maintained. All state funded school district operated workforce development education facilities shall be transferred, while any such facility partially funded with local tax funds shall be leased to the community college. The committee substitute provides for mediation by an independent panel to ensure an equitable lease agreement is developed.

The committee substitute requires community colleges to provide for school district staff employed in area technical centers to be employed in the community college and that such employees be associated with training to ensure that they may be certified.

The committee substitute requires the Bureau of Education Facilities in collaboration with the Department of Management Services to conduct an analysis by December 31, 2000, to determine the amount of local tax contribution used in the construction of all area technical centers which will be used in determining proposed leasing arrangements. Also, the committee substitute requires the Division of Community Colleges to recommend to the Legislature statutory revisions necessary to carry out provisions of the committee substitute.

The committee substitute's effective date is July 1, 2000.

The primary fiscal impact would depend on whether school districts are compensated for the transfer of workforce facilities to community colleges and on the exact basis of the compensation.

The Committee on Education Appropriations adopted one amendment that is traveling with the bill and substantially revises the bill.

See AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|------------------------------|-----------------------------|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

B. PRESENT SITUATION:

History of Florida's Community College System - Florida's first public junior college, Palm Beach Junior College, was begun by public high school teachers who were concerned that the depression was preventing their former students from attending college. The college was formally established by the legislature in 1933. From 1933 until 1947, Palm Beach Junior College remained the only public two-year college in the state. However, in 1947, Dr. Edgar Morphet and Dr. R.L. Johns, who were consultants to the Florida Citizens Committee on Education, included a section on "junior colleges" in their report to the Florida Legislature. Mr. Howell Watkins, the principal of Palm Beach High School and dean of Palm Beach Junior College, was charged with the junior college section of the report, and he assigned the task to a graduate student from the University of Florida, James Wattenbarger, who was also a graduate of Palm Beach Junior College.

Among other things, the Florida Citizens Committee Report on Education to the 1947 Florida Legislature included Wattenbarger's recommendation that junior colleges should become an operational component of the local school systems provided that the County Boards of Public Instruction received approval from the State Board of Education to operate a junior college. This recommendation and many of the other provisions in the Florida Citizens Committee Report on Education were included in the Minimum Foundation Program Law supported by Senator LeRoy Collins and passed by the 1947 Legislature.

Upon passage of the Minimum Foundation Program in 1947, the Pinellas County Board of Public Instruction requested the State Board of Education's approval to make St. Petersburg Junior College a public junior college by incorporating the two-year college into its school system. Likewise, in 1948 the Jackson County School Board joined by the School Boards of Calhoun, Holmes, and Washington Counties received permission to take control of Chipola Junior College which had operated as a private junior college in Marianna for only one year. That same year, the Escambia County School Board (joined later by the Santa Rosa County School Board) requested and received authority to establish a new public junior college, Pensacola Junior College.

In 1949, Washington Junior College was authorized as the state's fifth public junior college in connection with Booker T. Washington High School in Pensacola.

The 1955 Legislature created the Community College Council to “formulate a long-range plan for the establishment and coordination of community colleges.” The Community College Council was organized in the fall of 1955, and Dr. James Wattenbarger was granted a leave of absence from the University of Florida to direct the study of the council. After nearly two years of study, the council issued its report to the 1957 Legislature. The report, titled *The Community Junior College in Florida’s Future*, recommended a state plan that would provide twenty-eight junior colleges located within commuting distance of 99 percent of the state’s population. The 1957 Legislature accepted the report as the master plan for Florida’s community/junior colleges and at the same time approved six new community college districts to begin implementing the master plan. The six colleges approved by the 1957 Legislature were Gulf Coast Community College, Central Florida Community College, Daytona Beach Community College, Manatee Junior College, North Florida Junior College, and St. Johns River Community College.

The 1957 Legislature also approved statutory revisions that permitted the junior colleges to begin a separate existence apart from the K-12 programs, and the Division of Community Colleges was established as a separate division within the Florida Department of Education. Dr. James Wattenbarger was appointed as the Division Director. No record was discovered of an appropriation to reimburse public school districts for facilities transferred to the community college system.

General Information - Chapter 239, F.S., provides that vocational, adult, community education, and what is generally known as workforce development education programs, are to be provided by school districts and community colleges.

Section 240.301 provides that the state community college system’s primary mission and responsibility is responding to the community’s need for postsecondary academic education and degree career education. Community colleges are responsible for providing lower level undergraduate instruction, awarding associate degrees, and preparing students for vocations that require less than baccalaureate degrees. Community colleges provide students career education consisting of certificate-based programs, credit courses leading to associate degrees, and vocational programs in fields which have lesser academic or technical requirements.

Section 20.15(3) creates the Division of Workforce Development and the Division of Community Colleges within the Department of Education. The Division of Workforce Development oversees the local school districts’ implementation of adult workforce development education and is responsible for ensuring the greatest possible coordination, efficiency, and effectiveness of workforce development education. The Division of Community Colleges, directed by the State Board of Community Colleges pursuant to chapter 240, is responsible for ensuring the coordination, efficiency, and effectiveness of community colleges, except for the duties assigned to the Division of Workforce Development in chapter 239.

Section 230.63, F.S., provides that a school board or two or more contiguous school boards may, after first obtaining approval of the Department of Education, organize, establish, and operate an area technical center or acquire and operate an existing vocational-technical school.

Area Technical Centers - According to the Division of Workforce Development, there are 41 area technical centers providing secondary and post secondary vocational and workforce development educational programs and classes. These centers, serving about 300,000 students, are located in 27 of Florida’s 67 counties. Several counties have more

than one area technical center. For example, Hillsborough County has 5, Orange, Pinellas, and Polk counties each have 4, and Palm Beach and Broward counties each have 3 area technical centers. In 1998-99, school districts also served about 455,000 students in adult general education programs in 59 school districts.

Data from the Department of Education show that 27 of Florida's 67 school districts do not provide vocational educational classes or programs.

An example of an area technical center is Mid-Florida Tech which is located in Orange County. This facility is an accredited (Accrediting Commission of the Council on Occupational Education and Southern Association of Colleges and Schools) area technical, post-secondary, adult, and community education center that is administered by the Orange County Public Schools.

Mid-Florida Tech was established in 1963 and today serves about 32,000 students annually in forty-three technical and adult education programs, including apprenticeship programs, that are offered to students both day and night. In addition, the center houses the Central Florida Emergency Services Institute which provides training for firefighters and emergency medical technicians and related staff. Mid-Florida Tech also offers customized training classes and programs for the local business community. In addition, Mid-Florida Tech operates four adult and community education centers at four local high schools.

Another example of an area technical center is the McFatter Technical Center located in Broward County. This center was opened in 1985 as an area postsecondary technical center for the purpose of offering secondary and adult students classes and programs in over thirty occupational areas. The center is accredited by numerous academic, state and professional accrediting organizations and offers industry-validated curriculum with state-of-the-art equipment for its students.

Objectives of the McFatter Technical Center include:

- Providing students with basic and advanced occupational instruction and enabling them to secure initial employment or advancement in their chosen vocations.
- Providing students with job-seeking skills through a planned program of instruction and preparing them for obtaining and retaining gainful employment.
- Assisting students in developing basic verbal and mathematical skills for success in the job market.
- Assisting students in becoming employed in their chosen occupation upon graduation.
- Providing additional educational opportunities for students to retain and upgrade job skills.
- Providing general and basic academic courses where adult students can earn a General Educational Development (GED) diploma.

The McFatter Technical Center serves about 9,000 students annually.

School District Vocational Programs - In addition to area technical centers, school districts to varying degrees operate technical career adult education programs. For example, the School District of Hillsborough County operates an extensive technical,

career, and adult education system. The Division of Technical, Career, and Adult Education within the Hillsborough County School system, through a network of four technical centers, provides secondary and adult students a wide range of workforce and vocational classes and programs, in addition to adult basic education classes and programs. Technical and career education classes and programs are offered secondary students in areas including business technology, family and consumer sciences, and health. Younger secondary students are provided career assessments and education classes and programs. Classes and programs are also offered adult students in the area of general education and programs leading toward vocational/technical certificates. In addition, the Hillsborough County School system provides comprehensive adult and community education programs offered in at least two high schools and 15 community school centers throughout the county.

According to data provided by the Division of Technical, Career, and Adult Education for Hillsborough County Schools, in 1999, about 58,000 adults took workforce development courses offered by the school district and about 2,500 Hillsborough County businesses used the school district to provide occupational training programs for their employees. The division also serves to retrieve students who drop out of school at age 16 by providing adult general education classes as an alternative to the regular school setting. Data from Hillsborough County schools indicate that for school year 1997-98, about 45% of all 16-year-old school dropouts were brought back into the school district's adult general education program. In school year 1998-99, about 29% of all students from grades 9 through 12 who dropped out of school returned to the school district's adult general education program.

Community Colleges and Workforce Development Programs - In addition to school districts authorized to offer adult workforce development and vocational education programs, all 28 community colleges provide some form of adult workforce education including programs leading to associate degrees and non-degree certificate workforce programs.

For example, Tallahassee Community College has the Division of Technology and Professional Programs which provides credit-based course work programs for the college. The division offers Associates of Arts, Associates in Science, and Certificate Programs. Associate in Science Degree programs include, among other subjects, accounting, business and management, computer technology, criminal justice, EMS/paramedic, engineering, nursing, and respiratory care. Certificate programs include business and management, computer technology, EMS/paramedic, engineering, and office systems technology.

St. Petersburg Junior College, as do all community colleges, provides a full range of Associate in Science Degree programs. These programs include, among other programs, the following: accounting, architectural design and construction technology, child development, computer technology, criminal justice, EMS, legal assistance, nursing, physical therapy, telecommunications technology, and veterinary technology.

Palm Beach Community College offers Associate in Science degrees and Certificate programs. Such AS Degree programs include fields such as accounting, building technology, dental hygiene, drafting design, occupational therapy, automotive service, computer technology, legal assistance, nursing, and respiratory care. Certificate programs include preparation for employment in the following areas: child development, medical secretary, plumbing apprentice, criminal justice, paramedic, respiratory therapy, and water and waste water treatment.

State Board of Community Colleges data show that for 1998-99, there were 199,076 students enrolled in the Associate in Arts programs in all community colleges statewide. There were 96,298 students enrolled in Associate in Science and certificates programs statewide. AS and certificate programs in health (29%), business (25%), and industrial (19%) are the program areas with the largest percentage of student. In 1998-99, community colleges statewide awarded 9,125 Associate in Science degrees and 10,402 certificates.

Other States - Information received from the Southern Regional Education Board (Atlanta, Ga.), although dated 1997, provides some insight into how other state structure their governance of post secondary vocational-technical education programs. Following is a list of selected states and how governance is structured for such programs.

Alabama The State Board of Education is the State Board of Vocational Education.

Arkansas In 1997, the State Board of Workforce Education and Career Opportunities replaced the State Board of Education as the State Board for Vocational Education. The Division of Vocational and Technical Education was renamed the Department of Workforce Education. This department reports directly to the State Board of Workforce Education Career Opportunities, operates 10 postsecondary vocational-technical schools and is responsible for program and budget coordination of all vocational-technical programs at all levels.

Delaware The State Board of Education serves as the State Board of Vocational Education. All less-than baccalaureate occupational education programs are supervised by the postsecondary governing boards and are not under the State Board of Education. Area vocational schools are under the supervision of the state board and responsibility is divided between the governing board and the State Board of Education.

Georgia Responsibility for public postsecondary vocational education resides in the State Board of Technical and Adult Education.

Kentucky The State Board for Adult and Technical Education, through the Department of Adult and Technical Education, operates a statewide system of 25 public postsecondary and vocational-technical schools. The board also directs 54 area vocational educational centers, which primarily offer secondary vocational programs, but also offer postsecondary programs. Twelve postsecondary education programs are offered at state correctional facilities operated by the department under contract with the Department of Corrections. In 1997, the 25 public postsecondary education vocational-technical schools were moved from the Workforce Development Cabinet to a new, independent board of regents for the Kentucky Community and Technical College System.

Louisiana The State Board of Elementary and Secondary Education is the State Board of Vocational Education.

Maryland The State Board of Education is the State Board of Vocational Education.

Mississippi The State Board of Education is the State Board of Vocational-Technical Education.

N. Carolina The State Board of Education functions as the State Board of Vocational Education. Its authority concerning postsecondary vocational education, however, within discretionary limits, requires concurrence of the State Board of Community Colleges.

Oklahoma The State Board of Vocational and Technical Education supervises the vocational and technical schools of Oklahoma. Its members consists of the state superintendent of public schools, six appointed members of the State Board of Education plus six members appointed by the Governor.

S. Carolina The State Board of Education is designated the State Board of Vocational Education and governs secondary vocational programs in 43 vocational education centers and a number of comprehensive high schools. Postsecondary vocational and technical programs are conducted by the 16 public technical colleges governed by the State Board for Technical and Comprehensive Education and by a number of junior and senior public and private colleges.

Tennessee The State Board of Education is the State Board of Vocational Education.

Texas The State Board of Education functions ex-officio as the State Board for Career and Technology Education. The coordinating board is responsible for administration and funding of programs relating to vocational-technical education in Texas' public community colleges, the Texas State Technical College System, and other public postsecondary institutions.

Virginia The State Board of Education is the State Board of Vocational Education.

W. Virginia The Joint Commission for Vocational-Technical-Occupational Education is the sole agency responsible for the administration of vocational-technical-occupational education in the state. The Joint Commission determines which adult occupational education programs and which adult technical preparatory programs are under the jurisdiction of the State Board of Education and the Board of Directors.

C. EFFECT OF PROPOSED CHANGES:

The committee substitute is entitled the "Workforce Development Unification Act of 2000." The committee substitute provides legislative intent that by consolidating all adult workforce development programs under the state community college system, the following should result:

- Each school district's focus will be on the education of K-12 students rather than on both K-12 and adult students.
- Secondary vocational education programs will be strengthened.
- Any duplication of adult workforce development programs under the current dually-provided system will be eliminated.
- Administrative costs associated with the current public workforce development education delivery system would be reduced under a consolidated model.

- Consolidating adult workforce development education programs under one educational entity will provide a single point of contact and entry for students and the business community to seek workforce development education services.
- Consolidating adult workforce development education programs under one educational entity will provide a single point of accountability for the expenditure of public educational funds and determining the state's return on investment.
- The articulation of vocational and workforce development certificate programs into associate degrees will be maximized by not having to articulate courses and programs across multiple education entities.
- Consolidating adult workforce development education programs under one educational entity will facilitate the development of strategic plans, funding proposals, and the construction of workforce development education facilities.

Effective July 1, 2002, the committee substitute provides that all public adult workforce development programs and all area technical centers will be transferred from school districts to community colleges. Community colleges will be responsible for the provision of all public adult workforce development education and school districts will be responsible for the provision of secondary vocational education.

The committee substitute requires the development and implementation of a formal agreement by July 1, 2002 between each local community college board of trustees and affected school boards on the governance and delivery of workforce development programs. Should an agreement fail to be adopted by July 1, 2002, a statewide independent panel shall be convened to develop and implement the agreement. The panel shall be comprised of a school board member, a district school superintendent, a member of a community college board of trustees, and a member of the Florida Chamber of Commerce. A fifth member of the panel shall be selected by these four members.

The committee substitute requires that adult workforce development education programs transferred to the community college will maintain any certification and accreditation status and that the community college shall ensure that all standards for the programs are maintained to ensure that the programs continue to meet the requirements necessary for certification and accreditation.

The committee substitute transfers all state funded adult workforce development education facilities and related equipment from school districts to the community college in whose district the facility is located. Any facility paid for in whole or part with local tax funds shall be leased to the community college. Should the facility be used for other purposes in addition to adult workforce development education, the independent panel will mediate an equitable lease agreement between the local school board and the community college board of trustees.

The committee substitute requires community colleges to provide for school district staff employed in area technical centers and other adult workforce development education programs to be employed in the community college at the same rate of salary with retirement and leave benefits. Community colleges would also make every effort to ensure that school district staff affected by the transfer of adult workforce development programs meet all qualifications and certification requirements to be employed by the community college.

The committee substitute requires the Bureau of Education Facilities in the Department of Education in collaboration with the Department of Management Services to conduct an analysis by December 31, 2000, to determine the amount of local tax contribution used in the construction of all area technical centers and other related facilities owned by school districts. This analysis will assist in determining the proposed leasing arrangements between school districts and community colleges and will also be used in determining an amount necessary for the community college to purchase the facility, if necessary.

Lastly, the committee substitute requires the Division of Community Colleges by January 1, 2001, to recommend to the Legislature, statutory revisions necessary to carry out the provisions of the committee substitute.

The bill takes effect on July 1, 2000.

D. SECTION-BY-SECTION ANALYSIS:

Section 1: Creates s. 239.214, F.S., provides Legislative intent for the "Workforce Development Unification Act of 2000"; provides that

1. By July 1, 2002, a formal agreement be achieved between each community college board of trustees and affected school boards on the governance and delivery of workforce development programs;
2. A statewide independent panel be convened to develop and implement an agreement should a local agreement not be developed;
3. Local tax funded area technical center and similar facilities be leased to a community college;
4. Mediation by an independent panel between school boards and boards of trustees;
5. Effective July 1, 2002, all public adult workforce development education programs be transferred from school districts to community colleges;
6. State-funded, school district operated area technical centers and similar facilities be transferred to a community college;
7. School district staff working in area technical centers and similar facilities shall be employed by the community college;
8. The Bureau of Educational Facilities in the Department of Education in collaboration with the Department of Management Services will conduct an analysis of the revenue sources that funded school district owned and operated area technical centers and similar facilities. If necessary, the college may then forward a budget request to purchase facilities or may continue to lease facilities.

Section 2: Provides that the Division of Community Colleges in the Department of Education submit to the Legislature by January 1, 2001, recommended statutory revisions necessary to implement the provisions of the act.

Section 3: Provides an effective date of July 1, 2000.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See Fiscal Comments

2. Expenditures:

See Fiscal Comments

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

See Fiscal Comments

2. Expenditures:

See Fiscal Comments

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

See Fiscal Comments

D. FISCAL COMMENTS:

Transferring the responsibility for all adult workforce development programs from school districts to the community college system [should local agreements between a community college board of trustees and affected school boards fail to be developed and implemented by July 1, 2002] will necessitate the transfer of responsibilities, functions, and staff from the Division of Workforce Development to the Division of Community Colleges.

The Division of Community Colleges estimates that 32 staff currently in the Division of Workforce Development should be transferred to the Division of Community Colleges. It is estimated that about \$1.97 million in personnel costs and equipment would be moved from the Division of Workforce Development to the Division of Community Colleges with the transfer of the 32 staff.

Transferring all workforce development programs to the community college system would also result in the transfer of the total Workforce Development Education Fund to the Division of Community Colleges.

In FY 1999-2000, the Workforce development Education Fund amounts to \$704 million of which \$400,753,000 is allocated to the school districts for postsecondary vocational and adult general education programs. This amount in the school districts is for vocational certificate programs (\$168.5 million), adult general education (\$193.5 million), and continuing workforce education programs (\$38 million).

Until the Bureau of Educational Facilities in DOE in collaboration with DMS conducts the analysis, as required by the committee substitute, of the amount of local tax funded school district owned and operated area technical centers and similar facilities, the fiscal impact related to the leasing of facilities to the community colleges is unknown.

The fiscal impact resulting from the transfer of state funded school district operated area technical centers and similar facilities in terms of maintenance, renovation, and reconstruction is indeterminate, but could be significant should these facilities need to be repaired or renovated.

Should school districts transform the purpose of facilities currently used for adult workforce development programs to serve secondary students (and thus keep the facilities), there could be a significant but indeterminate fiscal impact for the community colleges as they would need to request funds to construct and operate additional workforce development education facilities, unless an alternative implementation plan is developed and adopted by the community college system.

It should be noted that Department of Education staff have developed an estimated fiscal analysis of the costs which might be needed by the community colleges resulting from the transfer of adult vocational and general education programs from school districts to the community colleges. DOE cost estimates were based on the community colleges system's request for additional funding needed to operate two law enforcement training programs transferred from two school districts to two community colleges pursuant to 1999 legislation (Chapter 99-227, L.O.F.). State Board of Community Colleges staff dispute the methodology and the assumptions used by DOE staff in their estimated fiscal analysis for this bill. As of the date of this bill analysis, committee staff are unable to determine the adequacy of the fiscal analysis provided by DOE staff or the concerns raised by SBCC staff.

Indeterminate but significant state costs for salaries and benefits could be incurred resulting from the transfer of teaching staff and support personnel currently employed by school district and assigned to area technical centers and similar facilities to the community colleges. Current school district staff needing staff development to meet qualifications and certification to be employed in a community college workforce development education program will also require additional state funds. A significant portion of the staff development needed for former school district staff could be provided by the community college.

Any cost savings (state or local funds or both) resulting from the consolidation of all adult workforce development education programs in the state's community college system may partially offset any increased funding resulting from provisions of this committee substitute.

Any fiscal impact of this committee substitute will be dependent upon the extent to which local agreements between a community college and affected school boards are developed and implemented pursuant to the committee substitute and the nature of such agreements.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

The committee substitute 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:

The committee substitute does not reduce the authority that counties or municipalities have to raise revenues in the aggregate.

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

The committee substitute will not reduce the percentage of a state tax shared with counties.

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

N/A

B. RULE-MAKING AUTHORITY:

N/A

C. OTHER COMMENTS:

In January 2000, the Commissioner of the Department of Education created a Task Force on Workforce Development Issues. The task force members included school district superintendents, community college presidents, directors of regional workforce development boards, and representatives of business and industry who have worked closely with school districts and community colleges on workforce development issues.

A final report from the task force provides the following recommendations:

- Local communities should decide which educational entity should offer workforce development educational and training programs.
- Community colleges and school districts in consultation with locally determined representative of business, industry, and consumers/students should make the decisions about program delivery.
- If a school district and a community college cannot decide on which educational entity should deliver which workforce development programs, the matter should be arbitrated by the state Workforce Development Board.

It should be noted that other than the recently created DOE task force, there is no systematic and objective assessments or studies of the extent to which the current governance structure for adult workforce development education programs is operating in

an efficient and effective manner. There is also currently no data or studies to suggest that school district operated adult workforce development programs are accountable to or meet the needs of the local community any more or less so than such programs in a local community college.

AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 27, 2000, the Committee on Community Colleges and Career Prep adopted five amendments to HB 1673, moved to make the bill a committee substitute, and adopted the committee substitute on a vote of 9 to 3. The committee substitute differs from the bill in the following ways:

- The date for transferring adult workforce development programs is changed from July 1, 2001, to July 1, 2002.
- The committee substitute, unlike the bill, requires a community college board of trustees and affected school boards to develop and implement a formal agreement on the governance and delivery of workforce development programs and provides for the creation of a state level independent panel to develop an agreement should one fail to be developed at the local level.
- The committee substitute makes conforming changes by substituting an independent panel for the State Board of Education related to mediating certain decisions between school boards and community colleges boards of trustees.
- Unlike the bill, the committee substitute requires community colleges to employ staff in area technical centers should such centers be moved from the school district to the community college.
- The committee substitute clarifies that community colleges must maintain standards for certification and accreditation purposes for any workforce development program transferred from a school board to the community college.

A lack of clarity may exist on an amendment which was adopted to the bill creating subsection (3) which establishes an independent panel should a local formal agreement fail to be developed and implemented by July 1, 2002. The adopted amendment could be interpreted to mean that a local rather than a state level independent panel would be created. Another amendment adopted by the Community Colleges and Career Prep Committee which replaces "the State Board of Education" with "an independent panel", could infer that the panel is at the state level. However, Community Colleges and Career Prep committee staff recommend that a clarifying amendment be adopted at the next committee of reference which clarifies the intent of the amendment adopted by the Community Colleges and Career Prep Committee.

Subsection (3) also appears to conflict with subsection (4), which provides for the transfer of all workforce programs to community colleges effective July 1, 2002 and makes no provision for action by the independent panel.

On April 26, 2000, the Committee on Education Appropriations adopted a lengthy amendment that substantially revised the bill. The amendment prevented the termination of high demand programs as a component of transfer and provided for the transfer of staff at the same rate of salary. School districts that have no performance grade category "D" or

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“F” schools by the end of the 2000-2001 school year are exempted from the transfer. A number of local options other than a transfer of programs are provided, subject to agreement between the two local boards. If agreement is not reached by September 1, 2001, a statewide panel has an opportunity to develop a transition plan. If no resolution is reached by June 30, 2002, the state Workforce Development board makes the final decision.

VI. SIGNATURES:

COMMITTEE ON COMMUNITY COLLEGES & CAREER PREP:

Prepared by:

Staff Director:

KEN WINKER

KEN WINKER

AS REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:

Prepared by:

Staff Director:

Robert S. Cox

John Newman