

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

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

BILL: CS/SB 2388

SPONSOR: Education Committee and Senator Pruitt

SUBJECT: Community College Baccalaureate Degree Programs

DATE: March 17, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Woodruff	O'Farrell	ED	Favorable/CS
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill changes the name of certain community colleges to reflect the authorization of the college to offer the baccalaureate degree. The bill provides that community colleges granting baccalaureate degrees remain under the authority of the State Board of Education. Local boards of trustees remain responsible for all educational offerings of the college including the setting of tuition and out-of-state fees, however, tuition and out-of-state fees for upper-division courses must be less than at state universities. The bill precludes community colleges which offer baccalaureate degrees from terminating associate in arts or associate in science degree programs as a result of the authorization to offer the baccalaureate degree. The bill prohibits a community college from offering graduate programs.

The bill provides legislative intent relating to baccalaureate degree access and establishes a process by which community colleges can obtain approval to offer specified baccalaureate degree programs. The process requires the college to document it has examined alternatives and has found that offering the degree itself is the most cost-effective option for the student, the community and the state.

Authority is granted to the State Board of Education to approve baccalaureate degree programs at community colleges. The State Board is required to adopt rules and policies relating to reporting policies and performance accountability requirements for both upper-division and lower division programs.

The bill specifies how baccalaureate degree programs at community college are to be funded. Unless the Legislature provides special grant funds, initial nonrecurring costs are to be borne by the college within existing resources. Operating funds must be specifically provided by the Legislature through a recurring appropriation before a new baccalaureate program may accept

students. The bill specifies that operating funds for baccalaureate degree programs should be no more than 85 percent of the amount of state support per full-time equivalent student in a comparable state university program. The bill also restricts the use of funds appropriated for baccalaureate degree programs from being used for any other purpose and must be accounted for and reported separately from other activities of the institution.

This bill substantially amends the following sections of the Florida Statutes: 288.8175, 1000.21, 1001.64, 1002.35, 1004.65, 1004.76, 1007.33, 1009.23, 1011.83, and 1013.60.

II. Present Situation:

The name of each of the public community colleges is listed in section 1000.21, Florida Statutes. Of the institutions approved to offer the baccalaureate degree, only St. Petersburg Community College has had its name changed to reflect the new degree authorization. The name of the college is now St. Petersburg College. The current names of the three institutions affected by this bill are Chipola Junior College, Miami-Dade Community College, and Okaloosa-Walton Community College.

Section 1001.64, Florida Statutes, identifies the powers and duties of the community college boards of trustees. The boards are authorized to enter into intrainstitutional and interinstitutional programs to maximize articulation pursuant to law, however the boards' powers and duties have not been changed to reflect the expansion of some colleges into baccalaureate degree granting institutions.

The mission of community colleges is outlined in section 1004.65, Florida Statutes. That language assigns a separate and secondary role for community colleges of providing upper level instruction and awarding baccalaureate degrees and requires that authorization to be specified in law (section 1004.65 (7) (a), Florida Statutes).

The State Board of Education, by a motion approved on September 16, 2003, requested clarification that the mission of community colleges that are approved to grant baccalaureate degrees not be affected as a result of the newly approved upper-division programs.

On September 16, 2003, the State Board of Education recommended the following policy: "The community college baccalaureate program will remain under the jurisdiction of the State Board for all matters relating to approval, funding, accountability, and planning, to include a separate line item in the budget for the baccalaureate programs."

The site-determined baccalaureate degree access program was initiated by the Legislature in 1999. The initial focus for expanding access to the baccalaureate degree was for community colleges to enter into contracts with public or private 4 year institutions to offer degree programs on a community college site. Only if a community college could demonstrate that no accredited four year institution would agree to offer a program, could the college request its own authorization to offer the degree. The program was amended by the 2001 Legislature resulting in simplification of the process for a community college to either contract to have a baccalaureate degree offered on site or for the college to offer a baccalaureate degree itself.

Section 1007.23, Florida Statutes, identifies the way community colleges may offer a baccalaureate degree. The college may enter into a formal agreement to have another 4 year institution offer the degree on the college campus or the community college may submit a proposal to the State Board of Education for approval to offer the degree itself. The content of the proposal is specified. The proposal must show a demand for the program, that there is an unmet need for graduates of the program, and that the community college has the facilities and academic resources to deliver the program. The proposal must be submitted to the Council for Education Policy Research and Improvement for review and comment. Upon approval by the State Board of Education, the college is to seek the proper accreditation for the program. If the college wants to offer additional degree programs, it must go through the same evaluation cycle for each degree request. The present language prohibits a community college from terminating an associate degree program as a result of being authorized to offer a baccalaureate degree and restates the primary mission of the community college is offering associate degrees that provide access to a university.

Section 1009.23, Florida Statutes, specifies how student fees are to be charged. Community colleges are not authorized to charge fees for college credit instruction leading to a baccalaureate degree. In the fee schedule which the State Board is required to adopt each year, no provision is included for fees associated with a baccalaureate degree offered by a community college.

Section 1011.83, Florida Statutes, specifies how community colleges are to be funded. Workforce development programs are to be funded through the Workforce Development Education Fund appropriation. All other appropriations for operational activities of the college are to be provided through appropriations to the Community College Program Fund.

The Commissioner of Education is charged in section 1013.60, Florida Statutes, with submitting an integrated, comprehensive budget request to the Executive Office of the Governor and to the Legislature each fiscal year. The content of that budget request is also specified. There is currently no provision for submitting a budget request for facilities associated with an approved community college baccalaureate degree program.

Three colleges currently authorized to offer baccalaureate degrees by the State Board of Education received funds in Specific Appropriation 6 of the 2003-04 General Appropriations Act. The proviso language associated with the appropriation stated: "...\$333,333 is provided to Chipola Junior College, \$333,333 provided to Edison Community College, and \$333,334 provided to Miami-Dade Community College to implement baccalaureate degree programs as approved by the State Board of Education. These funds are restricted to the phase-in of baccalaureate programs only."

St. Petersburg College received \$4.8 million in Specific Appropriation 101A for baccalaureate programs.

The State Board of Education recommended \$7,464,726 in its 2004-2005 legislative budget request for baccalaureate degrees at community colleges. The Governor's legislative budget request included \$6.4 million for targeted baccalaureate degrees at community colleges.

III. Effect of Proposed Changes:

Section 1. Public community colleges are identified by name in the statutes. The bill changes the name of Chipola Junior College to Chipola College, Miami-Dade Community College to Miami Dade College, and Okaloosa-Walton Community College to Okaloosa-Walton College to reflect the status of the institutions as baccalaureate degree granting colleges.

Section 2. The bill clarifies that even though community colleges may be granted the authority to offer baccalaureate degree programs, the institutions may continue to award degrees, diplomas, and certificates as authorized for the college. The bill also clarifies that the board of trustees is to establish tuition and out-of-state fees for approved baccalaureate degree program pursuant to law and proviso in the General Appropriations Act.

Section 3. The bill adds language to specify that the primary mission of a community college approved to offer baccalaureate degree programs remains the activities related to being a community college. The bill also states that a college may not terminate associate degree programs as a result of the authorization to offer baccalaureate degree programs.

Section 4. The purpose of baccalaureate programs which may be offered by a community college are more clearly specified. The content of a college's proposal to initiate a baccalaureate degree program is expanded to include a statement that the college has examined other alternatives and has found that starting a new degree program is the most cost effective alternative.

Each proposal submitted to the State Board of Education is to be assessed by the Department of Education in accordance with timeframes and guidelines adopted by the State Board. The State Board of Education must review the Department's assessment of the proposal.

The current requirement that proposals be submitted to the Council for Educational Policy Research and Improvement for review and comment is deleted.

If baccalaureate degree programs are approved by the State Board, the bill requires a joint letter of agreement between the State Board and the college detailing how the program will be implemented. These letters must also be approved by the State Board.

The State Board is required to adopt policies that address the baccalaureate degree programs it approves. The policies must include reporting and performance accountability requirements for both upper-division and lower-division programs at the college.

Language is added to the statutes prohibiting community colleges from offering graduate programs and to allow the State Board of Education to adopt rules to administer this section.

Section 5. The board of trustees of a college which offers a baccalaureate degree is directed to establish fees for its upper-division courses that are between the fee charged for lower-division credit courses and the fee rate charged by the local university for tuition and out-of-state fees.

The resident fee schedule required to be adopted each year by the State Board of Education for community colleges is amended to include a fee schedule for baccalaureate degree programs which have been authorized by the State Board.

Section 6. The bill specifies how funding for community colleges which have approved baccalaureate degree programs is to be provided to the college. Traditional activities of the college are to be funded through the Community College Program Fund. Baccalaureate degree funding is to be specifically and separately provided. The bill provides that state support for baccalaureate degree students should not exceed 85 percent of the amount of state support per full-time equivalent student in a comparable state university program. Colleges are prohibited from accepting students in the new degree program without a recurring appropriation. Colleges must report and account for expenditures for its primary mission and for baccalaureate degree programs separately.

Section 7. The bill requires the Commissioner of Education to include a request for facilities associated with the awarding of baccalaureate degrees at community colleges in the integrated, comprehensive legislative budget request to the Executive Office of the Governor and to the Legislature each fiscal year. Facilities so requested must be identified in the college's capital improvement plan and in the survey of need for facilities. The Commissioner's request for such projects shall not be considered a component of the 3-year priority list of the community college or state university system but in its own category.

Section 8. The bill amends section 288.8175, Florida Statutes, to conform the name of Miami-Dade Community College to the intent of the bill. The institution's name is changed to Miami Dade College.

Section 9. The bill amends section 1002.35, Florida Statutes, to conform the name of Miami-Dade Community College to the intent of the bill. The institution's name is changed to Miami Dade College.

Section 10. The bill amends section 1004.76, Florida Statutes, to conform the name of Miami-Dade Community College to the intent of the bill. The institution's name is changed to Miami Dade College.

Section 11. The bill's effective date is July 1, 2004.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill will expand access to baccalaureate degree programs approved by the State Board of Education and funded by the Legislature. The bill will provide opportunities to earn a baccalaureate degree to place bound and nontraditional students and may promote enrollment in degree programs that meet critical workforce needs of the state.

The bill specifies that student tuition shall be less than at the state universities. Therefore, the cost will be less for the student to attend than if the student were attending a state university.

C. Government Sector Impact:

The state should save money on those students who choose to attend a baccalaureate degree program at a community college. The bill provides that state funding for baccalaureate degrees at community colleges should not exceed 85 percent of the amount of state support per full-time equivalent student in a comparable state university program.

To the extent that existing facilities at a community college can be used to offer programs, the state may save on the need to construct new facilities.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.