

# 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.)

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Prepared By: Education Committee

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BILL: CS/SB 2254

SPONSOR: Education Committee and Senator King

SUBJECT: Community College Baccalaureate Degrees

DATE: April 5, 2005

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Woodruff	O'Farrell	ED	<b>Fav/CS</b>
2.			EA	
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## I. Summary:

The Committee Substitute:

- Amends the powers and duties of community college boards of trustees to include duties related to the offering of an approved baccalaureate degree.
- Addresses how community colleges are to be funded including the funding for approved baccalaureate degree programs.
- Authorizes a community college to offer a specialized bachelor's of applied science degree which articulates with a specific associate of science degree program under certain conditions.
- Grants the Central Florida Community College Foundation authorization to accept and manage the endowment for the Appleton Museum of Art.

The Committee Substitute substantially amends the following sections of the Florida Statutes: 1001.64, 1004.65, 1007.33, 1009.23, 1011.83, and 1013.60.

## II. Present Situation:

Section 1001.64, F.S., identifies the powers and duties of the community college boards of trustees. The boards are authorized to enter into intra-institutional and inter-institutional programs to maximize articulation pursuant to law. The boards' powers and duties have not

been expanded to reflect the expansion of some community colleges into baccalaureate degree granting institutions.

The mission of community colleges is outlined in s.1004.65, F.S. That language assigns a separate and secondary role for community colleges of providing upper level instruction and awarding baccalaureate degrees and requires specific authorization in law before initiating a baccalaureate degree program (s.1004.65 (7) (a), F.S.).

The State Board of Education, by a motion approved on September 16, 2003, requested clarification that the mission of community colleges 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 program offered on site or for the college to offer a baccalaureate degree program itself.

Section 1007.33, F.S., identifies the procedure a community college must follow to be approved to offer a baccalaureate degree program. The college may enter into a formal agreement to have another 4-year institution offer the degree program on the college campus or the community college may submit a proposal to the State Board of Education for approval to offer the degree program 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 that the primary mission of the community college is offering associate degrees that provide access to a university.

Section 1009.23, F.S., specifies how student fees are to be charged. Community colleges are not specifically 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, F.S., 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 s.1013.60, F.S., 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.

Five community colleges were funded in Specific Appropriation 129 of the 2004-05 General Appropriations Act for community college baccalaureate degree programs. Those colleges were Chipola College, Edison Community College, Miami-Dade College, Okaloosa-Walton College, and St. Petersburg College. St. Petersburg College also received facilities funding specifically for facilities associated with the baccalaureate degree program.

**Appleton Museum of Art Endowment:** At the current time, the Appleton Cultural Center, Inc., holds the endowment for the Appleton Museum of Art.

### III. Effect of Proposed Changes:

Section 1. Section 1001.64, F.S., is amended to clarify that:

- Community colleges authorized to grant baccalaureate degrees remain under the authority of the State Board of Education.
- The local board of trustees shall serve as the governing board for the baccalaureate degree programs authorized at a community college.
- A community college that has been approved by the State Board of Education and the Legislature to offer a baccalaureate degree may subsequently decide to offer a bachelor's of applied science degree program which is articulated to a specific associate of science degree program after meeting certain conditions but without having to go through the entire state approval process again. Among those conditions is the requirement to notify in writing all accredited public and private colleges and universities in the service area of its intent and to provide those institutions 90 days to submit an alternative proposal for consideration by the local board.
- The local board may continue to offer all other degrees, diplomas, and certificates in addition to an approved baccalaureate degree.
- The local board is to establish tuition and out-of-state fees for approved baccalaureate programs consistent with law and the General Appropriations Act, but may not exercise the flexibility in setting those fees provided in s.1009.23 (4), F.S., for fees in a community college's other programs.
- Faculty who teach upper-division courses in a baccalaureate degree program must teach a minimum of 15 classroom contact hours per week.

Section 2. Section 1004.65, F.S., is amended 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 Committee Substitute also states that a college may not terminate associate degree programs as a result of the authorization to offer baccalaureate degree programs.

Section 3. Section 1007.33, F.S., is amended to remove the requirement that the Council for Education Policy Research and Improvement review and comment on each community college request to offer a baccalaureate degree program.

The CS also specifies the content of a formal agreement between a community college and a regionally accredited public or private college or university to offer a baccalaureate degree program at a community college site. The degree program must be implemented within 12 months of approval. Should a community college submit a proposal to the State Board of Education to offer a baccalaureate degree, the community college must document that it has notified in writing all accredited public and private colleges and universities in its district of its intent to seek permission to offer a baccalaureate degree. Those institutions have 90 days to submit in writing to the community college an alternative proposal to provide the specified degree program.

Section 4. Section 1009.23, F.S., is amended to provide that the board of trustees of a community college which offers a baccalaureate degree program is directed to establish fees for its upper-division courses that are consistent with law and the General Appropriations Act and which recognize that a community college has a less expensive cost structure than a state university.

Section 5. Section 1011.83, F.S., is amended to specify how funding for community colleges is to be provided and including funding for approved baccalaureate degree programs.

- Colleges may request funds from the Legislature in the State Board of Education legislative budget request for costs associated with the initiation of a new baccalaureate degree program.
- 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.
- 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 must report and account for expenditures for its primary mission and for baccalaureate degree programs separately.

Section 6. Section 1013.60, F.S., related to the legislative capital outlay budget request is amended to provide:

- The board of trustees of a community college may request funding for facilities for all authorized programs when the local board develops its facilities budget request and priority list.
- Notwithstanding the provision that currently allows St. Petersburg College to request funding for community college facilities as a community college and for university facilities as a university, all facility requests must be submitted as a part of the community college 3-year priority list.

- Students in an approved baccalaureate degree program at a community college are to be included when the determination of the need for facilities at a community college is computed.

Section 7. The Central Florida Community College Foundation is authorized to accept and manage the endowment for the Appleton Museum of Art.

Section 8. The effective date of the Committee Substitute is July 1, 2005.

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

The Committee Substitute specifies that student tuition for baccalaureate degrees offered by a community college 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 Committee Substitute 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.

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

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## **VIII. Summary of Amendments:**

None.

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