

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1143 University of South Florida Lakeland

SPONSOR(S): McKeel

TIED BILLS: **IDEN./SIM. BILLS:** SB 186

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Schools & Learning Council	16 Y, 0 N	Thomas/Eggers	Cobb
2) Policy & Budget Council	28 Y, 0 N	Martin	Hansen
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

HB 1143 designates the Lakeland campus of the University of South Florida as the “University of South Florida Lakeland.” The University of South Florida Lakeland (USF Lakeland) would be a separate organizational and budget entity of the University of South Florida (USF).

The bill also:

- requires USF Lakeland to have a Campus Board and a Campus Executive Officer. The Campus Board would be comprised of four residents of the Lakeland campus service area appointed by the President of USF. The fifth member of the Campus Board must be selected by the USF Board of Trustees from among its membership and that trustee will serve jointly as a member of the USF Board of Trustees and the Campus Board.
- requires the Campus Board to submit a legislative budget request to the USF Board of Trustees.
- provides for USF Lakeland to apply for accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools when separate accreditation is in the best interest of the campus.

The fiscal impact of the bill is expected to be minimal, and no additional funds will be needed by the University of South Florida to implement the bill. (See Fiscal Comments)

The effective date provided is July 1, 2008.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Provide limited government – HB 1143 requires the USF Lakeland to have a Campus Board and a Campus Executive Officer.

B. EFFECT OF PROPOSED CHANGES:

Background

The University of South Florida Lakeland (USF Lakeland) campus was established in 1988. USF Lakeland serves over 2,000 students and offers over 20 complete undergraduate and graduate degrees through the areas of Arts and Sciences, Business, Education, Engineering, and Information Technology. USF Lakeland partners with Polk Community College, South Florida Community College and Hillsborough Community College-Plant City to provide a 2+2 education whereby students obtain their Associate of Arts or Associate of Science degree from the local community college and complete their baccalaureate and/or graduate degree through USF Lakeland. The campus also supports a number of individual classes, electives, web-based courses, certificate programs and program partnerships with the main campus in Tampa.¹

USF Lakeland would be the third USF campus to be established as a separate entity. The 2001 Legislature established the University of South Florida St. Petersburg² and the University of South Florida Sarasota/Manatee³ as separate organizational and budget entities.⁴ In 2006, USF St. Petersburg earned separate accreditation from the Southern Association of Colleges and Schools.

Effect of Proposed Changes

HB 1143 designates the Lakeland campus of USF as the “University of South Florida Lakeland.” USF Lakeland would be a separate organization and budget entity from USF. The bill requires USF Lakeland to have a Campus Board and a Campus Executive Officer. The Campus Board would be comprised of four residents of the Lakeland campus service area appointed by the USF President. The fifth member of the Campus Board must be selected by the USF Board of Trustees from among its membership and that trustee will serve jointly as a member of the USF Board of Trustees and the Campus Board.

Members of the Campus Board would serve 4-year terms and may be reappointed for one term. The bill provides for staggered terms for the initial appointment. The Campus Board would have the power to:

- Review and approve an annual legislative budget request to be submitted to the USF Board of Trustees;

¹ See http://www.lakeland.usf.edu/about_usf_lkInd.html

² s. 1004.33, F.S.

³ s. 1004.34, F.S.

⁴ Ch. 2001-170, L.O.F.

- Approve and submit an annual operating plan and budget for review and consultation with the USF Board of Trustees;
- Enter into central support services contracts with the USF Board of Trustees for any services that the Lakeland campus could not provide more economically, such as payroll processing, accounting, technology, and construction administration; and
- Enter into a central services contract with USF for all legal services.

HB 1143 requires the Campus Board to submit a legislative budget request to the USF Board of Trustees. The bill does not indicate whether the USF Board of Trustees could modify the budget request.

The requirement for USF Lakeland to enter into a central services contract with USF for legal services does not appear to anticipate a situation in which a legal conflict could arise concerning the governance of USF Lakeland.

The bill provides for USF Lakeland to apply for accreditation from the Commission on Colleges of the Southern Association of Colleges and Schools when separate accreditation is in the best interest of the campus. The Campus Board must ensure that sufficient student enrollment, faculty, and administration are in place before requesting that the USF Board of Trustees apply for separate accreditation for USF Lakeland. Upon approval by the USF Board of Trustees, the USF President must begin the application process for separate accreditation on behalf of the USF Board of Trustees. If the application is not approved, or is provisionally approved, the USF President must correct any identified deficiencies and must continue to work for separate accreditation.

USF Lakeland would be administered by a Campus Executive Officer appointed by the USF President. The Campus Executive Officer would have the authority to:

- Administer campus operations within the annual operating budget as approved by the Campus Board;
- Recommend to the Campus Board an annual legislative budget request, an annual campus operating budget, and appropriate services, terms, and conditions for the annual support services contracts; and
- Carry out additional responsibilities assigned by the USF President.

HB 1143 requires USF to provide a comprehensive and coordinated system of student registration so that a student enrolled at any campus of USF has the ability to register for courses at any other campus of USF.

C. SECTION DIRECTORY:

Section 1. Creates s. 1004.345, F.S.; establishing and designating the University of South Florida Lakeland campus; providing legislative intent; requiring the Board of Trustees to appoint a Campus Board; providing membership, powers, and duties of the Campus Board; providing that the university is administered by a Campus Executive Officer; requiring the President of the University of South Florida to consult with the Campus Board before hiring or terminating the Campus Executive Officer; providing that students enrolled at a branch campus of the university have the same rights as other students; requiring the University of South Florida to provide for a system of student registration that meets certain conditions.

Section 2. Provides an effective date of July 1, 2008.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The fiscal impact of the bill is expected to be minimal. The 2001 Legislature established the University of South Florida St. Petersburg⁵ and the University of South Florida Sarasota/Manatee⁶ as separate organizational and budget entities. The USF President and Board of Trustees have treated the University of South Florida Lakeland the same as the other regional campuses without a statutory mandate. Therefore, no additional funds will be needed by the University of South Florida to implement HB 1143.⁷

⁵ s. 1004.33, F.S.

⁶ s. 1004.34, F.S.

⁷ Conversation with University of South Florida Lobbyist on April 8, 2008.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

This bill does not appear to require a city or county to expend funds or to take any action requiring the expenditure of funds.

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

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

2. Other:

Article II, section 5 of the State Constitution prohibits a person from holding more than one state office at one time. The bill requires a member of the University of South Florida Board of Trustee to serve as a member of the Campus Board, which is not an advisory body. If the USF Board of Trustees and the Campus Board are considered state offices, the appointment of a dually serving member could be challenged under the dual-office holding prohibition.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

D. STATEMENT OF THE SPONSOR

Waived by the sponsor due to time constraints.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES