

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 135 School District Career Center Workforce Education Programs
SPONSOR(S): Post-Secondary Education & Lifelong Learning Subcommittee, Robinson, W.
TIED BILLS: None **IDEN./SIM. BILLS:** CS/SB 532

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Post-Secondary Education & Lifelong Learning Subcommittee	16 Y, 0 N, As CS	Sleap	Kiner
2) Higher Education Appropriations Subcommittee			
3) Education & Employment Committee			

SUMMARY ANALYSIS

The bill authorizes a school district career center to prepare students for employment as a registered nurse (RN) by offering an associate in applied science (AAS) or associate in science (AS) nursing degree program. The career center may only offer the AAS or AS nursing degree program to graduates of a licensed practical nursing (LPN) program offered by the same center.

The bill has an indeterminate fiscal impact. See Fiscal Comments.

The bill takes effect on July 1, 2021.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Workforce Education Programs

Current law defines a workforce education program as the delivery of any of the following:

- Adult general education programs;
- Career certificate programs;
- Applied technology diploma programs;
- Continuing workforce education courses;
- Degree career education programs; or
- Apprenticeship and preapprenticeship programs.¹

Under current law, Florida College System (FCS) institutions and school districts may conduct workforce education programs; however, only a FCS institution may award college credit for an associate in applied science (AAS) or an associate in science (AS) degree.² If an AAS or an AS degree program includes an occupational completion point³ that confers a certificate or an applied technology diploma (ATD), a school district career center can operate that portion of the program.⁴

Florida College System

The Florida legislature created the FCS, “to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will best meet the state’s employment needs.”⁵ The FCS is comprised of 28 public postsecondary colleges, each serving the residents of its service area.⁶ FCS institutions are overseen by the State Board of Education (SBE) and are governed by local boards of trustees.⁷ FCS institutions are accredited by the Southern Association of Colleges and Schools Commission on Colleges (SACSCOC)⁸ to award associate degrees⁹ and for institutions authorized to do so, baccalaureate degrees.¹⁰ Specific to the delivery of workforce education programs, Florida law provides that college credit in an AAS or AS degree may only be awarded by a FCS institution.¹¹

Career Centers

¹ Section 1011.80(1)(a)-(f), F.S.

² Section 1011.80(2), F.S.

³ See Section 1004.02(21), F.S. An occupational completion point means the occupational competencies that qualify a person to enter an occupation that is linked to a career and technical program.

⁴ Section 1011.80(2), F.S.

⁵ Section 1001.60(1), F.S.

⁶ Section 1000.21(3)(a)-(bb), F.S.

⁷ FLA. CONST. art. IX, s. 8.

⁸ Southern Association of Colleges and Schools Commission on Colleges, About SACSCOC-Our Institutions, *Florida*, https://sacscoc.org/institutions/?state=FL&results_per_page=25&curpage=1&status=Accredited%2CCandidate (last visited March 29, 2021).

⁹ Southern Association of Colleges and Schools Commission on Colleges, The Principles of Accreditation: Foundations for Quality Enhancement (Dec. 2017), at 3, available at <https://sacscoc.org/app/uploads/2019/08/2018PrinciplesOfAcreditation.pdf>.

¹⁰ See Section 1001.60(2)(b)1. and s. 1007.33, F.S.

¹¹ Section 1011.80(2), F.S.

Current law allows a district school board to operate a career center as part of the district school system.¹² A career center is an educational institution which offers terminal courses of a technical nature, as well as courses for adults and out-of-school youth.¹³ A center operates under the control of the district school board where it is located and each center is directed by a director who is responsible to the district school superintendent.¹⁴ Currently, there are 48 career centers operating in 31 school districts in Florida.¹⁵ These centers are accredited by the Council on Occupational Education (COE).¹⁶ The COE is a national accrediting agency that accredits institutions that offer certificate, diploma, or applied science degrees.¹⁷ The applied science degree includes both an AAS and AS degree.¹⁸ COE accreditation requires associate degrees offered by the institution to include a minimum of 15 credit hours of general education courses.¹⁹ Specific to the delivery of workforce education programs, Florida law provides that a career center may offer a career certificate program and an ATD, but only as technical credit²⁰

Nursing Programs

Florida regulates the nursing profession in order to ensure that all practicing nurses meet minimum requirements for the safe practice of nursing and to ensure that nurses who fall below the minimum competency, or present a danger to the public, are prohibited from practicing.²¹ All educational institutions that wish to conduct a program for the pre-licensure education of practical nurses or professional nurses must apply to the Florida Department of Health, and be approved by the Florida Board of Nursing.²²

Licensed Practical Nurse

A licensed practical nurse (LPN) is any person licensed in Florida or holding a multistate license to practice practical nursing.²³ Currently, Florida has 35 accredited career centers offering LPN programs.²⁴ The LPN program includes 1350-clock hours of program curriculum to prepare students for employment as LPNs.²⁵ In the 2019-2020 academic year, 29 school districts offered LPN programs, with approximately 3,756 students enrolled. Additionally, 13 FCS institutions offered LPN programs, enrolling 894 students.²⁶

Registered Nurse

¹² Section 1001.44(1), F.S.

¹³ Section 1001.44(3)(a), F.S.

¹⁴ Section 1001.44(3)(a), F.S.

¹⁵ Florida Department of Education, Career and Adult Education, *District Postsecondary Institutions Map* (Sept. 25, 2019), available at <http://www.fldoe.org/core/fileparse.php/5398/urlt/DistPSInstMap.pdf>. Lake Technical College operates as the only charter technical career center, authorized under s. 1002.34, F.S. and is sponsored by the Lake County School Board. See Florida Department of Education, Career & Adult Education, *Charter Technical Center Annual Report 2019-20*, at 5, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/charterreview20.pdf>.

¹⁶ Council on Occupational Education, *Membership State-Florida*, <https://council.org/membership/> (last visited March. 29, 2021).

¹⁷ Council on Occupational Education, Accreditation, *FAQs*, <https://council.org/accreditation-frequently-asked-questions/> (last visited March 29, 2021).

¹⁸ Council on Occupational Education, *Handbook of Accreditation* (2020), at 58, available at https://council.org/wp-content/uploads/2020/07/2020-Handbook-of-Accreditation_Generic_FINAL-w-Covers_7-26-20.pdf.

¹⁹ *Id.*

²⁰ Section 1011.80(2), F.S. and s. 1004.02(7), F.S.; See also Florida Department of Education, *Statewide Postsecondary Articulation Manual* (Jan. 2021), at 17 and 19, available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/Statewide-Articulation-Manual.pdf>.

²¹ Section 464.002, F.S.

²² Section 464.019(1) and (2), F.S.

²³ Section 464.003(15), F.S.

²⁴ Florida Department of Education, Florida Postsecondary Adult Vocational Certificate Programs, Florida Postsecondary Adult Certificate Programs, *2020-21 Council of Occupational Education (COE) Matrix* (January 31, 2021), available at <http://www.fldoe.org/core/fileparse.php/5652/urlt/coematrix.xls>.

²⁵ Florida Department of Education, Curriculum Framework, Health Science-Career Certificate Programs, *Practical Nursing (H170607)* (2020-2021), available at <http://www.fldoe.org/core/fileparse.php/19869/urlt/H170607-2021.rtf>.

²⁶ Email from Alexis Calatayud, Legislative Affairs, Florida Department of Education, Re: HB 135 (Feb. 24, 2021).

A registered nurse (RN) is any person licensed in Florida or holding an active multistate license to practice professional nursing.²⁷ FCS institutions offer a 72-credit hour AS in nursing program to prepare students for employment as RNs.²⁸ Each AS in nursing program must also include a minimum of 15 college credits of general education coursework.²⁹ In the 2019-2020 academic year, 14,313 FCS students were enrolled in an AS in nursing program.³⁰ FCS AS in nursing degree programs are accredited by the Accreditation Commission for Education in Nursing (ACEN).³¹ Currently, there is no curriculum framework for an AAS in nursing³², and FCS institutions only offer the AS in nursing degree program.³³

Bachelor of Science in Nursing

Bachelor of Science in Nursing (BSN) programs prepare nurses for workforce opportunities that require a BSN. Twenty-seven FCS institutions are approved to offer a BSN.³⁴ In the 2019-2020 academic year, 6,994 students³⁵ were enrolled in FCS BSN programs.³⁶ Students must have an active nursing license to participate in a BSN program. A BSN is geared toward providing an opportunity for LPNs and RNs to further their education, increase their potential for career advancement, and earn higher salaries.³⁷

Articulation

Florida law requires that the SBE and Board of Governors enter into statewide articulation agreements with the goal of facilitating the seamless articulation of student credit across educational entities,³⁸ including articulation among programs in nursing.³⁹

Florida currently has an LPN to nursing AAS/AS statewide articulation agreement.⁴⁰ This agreement awards 10 college credit hours toward an AS Degree in nursing for students who complete the 1,350-clock hour LPN program at a school district career center.⁴¹ Students are required to begin the AS degree in nursing within three years of completing the LPN program and must meet the admission requirements of the FCS institution and the program to which they are applying, as well as any required placement assessments.⁴²

Effect of Proposed Changes

The bill authorizes a school district career center to prepare students for employment as an RN by offering an AAS or AS nursing degree program. The career center may only offer the AAS or AS nursing degree program to graduates of a LPN program offered by the same center.

²⁷ Section 464.003(21), F.S.

²⁸ Florida Department of Education, Curriculum Framework, Health Science-Degree & Certificate Programs, *Nursing R.N. (AS-1351380100)* (2020-2021) available at <http://www.fldoe.org/core/fileparse.php/19869/urlt/1351380100-2021.rtf>.

²⁹ Rule 6A-14.030(4), F.A.C.

³⁰ Florida Department of Education, *supra* note 26.

³¹ Accreditation Commission for Education in Nursing, *Search ACEN Accredited Nursing Programs, Search by Florida*, <http://www.acenursing.com/accreditedprograms/programsearch.asp> (last visited Feb. 17, 2021).

³² In 2012, Florida nursing programs were leveled at the AS degree level in order to facilitate student transfer to aligned baccalaureate degrees. Florida Department of Education, Agency Analysis of 2020 SB 418, p. 3 (Oct. 8, 2019).

³³ Florida Department of Education, *supra* note 26.

³⁴ Florida Department of Education, Florida College System, *List of Approved Baccalaureate Degree Programs*, available at <http://www.fldoe.org/core/fileparse.php/5592/urlt/FCSBaccaProgramsCCTCMIS.xlsx>

³⁵ Florida Department of Education, *supra* note 26.

³⁶ *Id.*

³⁷ Daytona State, Nursing-BSN, *B.S. Degree Program Information*, <http://daytonastate.smartcatalogiq.com/2020-2021/College-Catalog/Program-Guides/BS-Degree/Nursing-BSN-B-S-Degree> (last visited March 29, 2021).

³⁸ Section 1007.23(1), F.S.

³⁹ Section 1007.23(1)(g), F.S.

⁴⁰ Florida Department of Education, Statewide Articulation Agreements – Career Certificate Program to AS/AAS Degree, Practical Nursing to Nursing R.N., *Statewide Career Pathways Agreement* (Effective Feb. 14, 2020), available at <http://www.fldoe.org/core/fileparse.php/7525/urlt/0351390101-1351380100.pdf>.

⁴¹ *Id.*

⁴² *Id.*

Providing school district career centers with the opportunity to offer the AAS or AS nursing degree program may lead to an increase in the number of RNs in Florida's workforce. Career centers that implement associate degree programs would be required to comply with additional requirements related to approval from the Board of Nursing and program accreditation.⁴³

B. SECTION DIRECTORY:

Section 1. Amends s. 1011.80, F.S.; revising the workforce education programs that school district career centers are authorized to conduct

Section 2. Provides an effective date of July 1, 2021.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

A school district career center that selects to implement an associate degree nursing program would incur expenses related to seeking approval to offer the program by the Board of Nursing and nursing program accreditation. These expenses may include:

- A \$1,000 application fee to the Board of Nursing.⁴⁴
- Nursing program accreditation from the Accreditation Commission for Education in Nursing includes a fee of \$3,500 for candidacy and initial accreditation, plus additional fees for site visits and full accreditation.⁴⁵

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Indeterminate.

D. FISCAL COMMENTS:

It is unknown how many district career centers will choose to offer an associate in applied science (AAS) or associate in science (AS) nursing program, or how many students will enroll. Career centers that choose to offer the AAS or AS Nursing program will incur costs pertaining to seeking accreditation, including application fees, and additional start-up and operational costs if approved. As program enrollments increase, additional state funding may be required. The costs associated with the bill are indeterminate.

⁴³ Section 464.019(1)-(2) and (11)(c), F.S.

⁴⁴ Section 464.019, F.S.

⁴⁵ Accreditation Commission for Education in Nursing, *Breakdown of Cost for Initial Accreditation Based on 2020 Fee Schedule*, available at <http://www.acenursing.net/resources/Illustration-of-Cost-with-Timeline.pdf>.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

A career center seeking to offer an associate degree in nursing would need approval from the Board of Nursing. In addition, the career center would need to obtain accreditation for its associate degree nursing program. Florida law requires that a nursing education program that prepares students for the practice of professional nursing and that is approved by the Board of Nursing must become an accredited program within 5 years after the date of enrolling the program's first students.⁴⁶

A career center, currently accredited by the Council on Occupational Education (COE), would be required to seek accreditation to offer a program at the associate level. COE accreditation is intended to accredit associate degrees that link directly to an occupation and are terminal. Nursing graduates of the program may not be able to have their credits transferred if they continued their education at an institution offering a more advanced degree.

Currently, only Florida College System institutions are authorized to charge tuition and fees for associate in applied science (AAS) and associate in science (AS) degrees.⁴⁷ It is unclear the rate students would pay under this bill.

Additionally, the bill authorizes a career center to offer an AAS or AS degree program in nursing. However, the bill specifies that a career center offering only the AS degree may offer such degree to graduates of a licensed practical nursing program at the career center, and appears to omit that restriction for a career center offering the AAS degree.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On April 1, 2021, the Post-Secondary Education & Lifelong Learning Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment made a technical change to clarify that a career center offering an associate in applied science degree in nursing may offer such degree to graduates of a licensed practical nursing program at that career center.

The bill analysis is drafted to the committee substitute adopted by the Post-Secondary Education & Lifelong Learning Subcommittee.

⁴⁶ Section 464.019(11), F.S.

⁴⁷ Section 1009.22 and s.1009.23, F.S.; For Florida College System institution college credit, developmental education, and educator preparation institute programs, the standard tuition is \$71.98 per credit hour for residents and nonresidents, and the out-of-state fee is \$215.94 per credit hour. Fees are specified in law.