

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Appropriations Subcommittee on Education

BILL: CS/SB 1252

INTRODUCER: Higher Education Committee and Senator Stargel

SUBJECT: Higher Education

DATE: April 7, 2015

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	HE	Fav/CS
2.	Sikes	Elwell	AED	Pre-meeting
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1252 realigns the mission and roles of Florida’s public postsecondary systems and institutions in meeting Florida’s labor market demands and community and regional needs. Specifically, the bill:

- Clarifies the mission of state universities, Florida College System (FCS) institutions, career centers, and charter technical career centers regarding state expectations.
- Renames the FCS as the Florida Community College System (FCCS).
- Clarifies Florida’s “2+2” system of articulation and guaranteed transfer of credit hours earned through acceleration mechanisms, CAPE industry certifications, and courses at FCCS institutions.
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions. The bill eliminates the one-year moratorium on the State Board of Education’s approval of new baccalaureate degree program offerings by FCCS institutions and aligns the baccalaureate degree approval process for St. Petersburg College with the approval process for other FCCS institutions.
- Prohibits the establishment of an enrollment cap in the collegiate high school program contract and requires school districts and colleges to report student enrollment information to the Florida Department of Education.
- Adds the Chancellor of Career and Adult Education as a member of the Higher Education Coordinating Council.
- Requires career education program standards and benchmarks to reflect the quality components of career and technical education.

The bill has no fiscal impact on state funds.

The bill takes effect July 1, 2015.

II. Present Situation:

The Legislature establishes education policies, enacts education laws, and appropriates and allocates education resources.¹ The Florida K-20 education system is established to provide high-quality education to students,² through publicly supported and controlled public K-12 schools, Florida College System (FCS) institutions, state universities, technical centers³ that are operated by district school boards or FCS institution boards of trustees, Florida Schools for the Deaf and the Blind, and the Florida Virtual School.⁴

The mission of Florida's K-20 education system is to provide to students opportunities to expand their knowledge and skills through rigorous and relevant learning opportunities in accordance with the mission statement and requirements of the K-20 education performance accountability system.⁵

In addition to the publicly supported colleges and universities, higher education in the state is also delivered by certain private postsecondary educational institutions that are authorized to operate in Florida.⁶

Governance

The oversight responsibilities for the state universities rest with the Board of Governors of the State University System of Florida (BOG)⁷ and the State Board of Education (SBE) is responsible for enforcing compliance with law by all school districts and public postsecondary educational institutions, except for the state universities.⁸

Board of Governors of the State University System of Florida

The BOG is a constitutionally created body to operate, regulate, control, be fully responsible for managing the whole university system.⁹ The BOG's responsibilities must "include, but not be limited to, defining the distinctive mission of each constituent university and its articulation with free public schools and community colleges, ensuring the well-planned coordination and operation of the system, and avoiding wasteful duplication of facilities or programs."¹⁰ The

¹ Section 1000.03(2)(a), F.S.

² Section 1000.01(3), F.S.

³ Technical centers mean career centers pursuant to s. 1001.44, F.S., and charter technical career centers pursuant to s. 1002.34, F.S.

⁴ Section 1000.04, F.S.

⁵ Section 1003.03(4), F.S.

⁶ Chapter 1005, F.S.

⁷ Art. IX, s. 7, Fla. Const.

⁸ Art. IX, s. 2, Fla. Const.; s. 1001.03(8), F.S.

⁹ Art. IX, s. 7(d), Fla. Const.

¹⁰ Art. IX, s. 7(d), Fla. Const.; s. 1001.705(2), F.S.

BOG's management is subject to the powers of the legislature to appropriate for the expenditure of funds, and BOG must account for such expenditures as provided by law.¹¹

State University System

The university system consists of 12 state universities.¹² The BOG is comprised of 17 members – the Commissioner of Education; the chair of the advisory council of faculty senates, or the equivalent; the president of the Florida student association, or the equivalent; and 14 citizen-appointments by the Governor.¹³

Each institution in the state university system is governed locally by a board of trustees¹⁴ comprised of 13 members – the chair of the faculty senate or the equivalent, the president of the student body of that institution, six citizen members appointed by the Governor, and five citizen members appointed by the BOG. The members appointed by the Governor and the BOG must be confirmed by the Florida Senate.¹⁵ The local boards of trustees must govern their institutions in accordance with BOG rules and regulations.¹⁶ Each local board's responsibilities include strategic planning and adopting policies regarding admissions, programs, administration, personnel, contracts, and facilities.¹⁷

Eleven of the 12 state universities are regionally accredited by the Southern Association of Colleges and Schools (SACS).¹⁸ Florida Polytechnic University, which was established in 2012, is expected to achieve accreditation from SACS by December 31, 2016.¹⁹

State Board of Education

The SBE is the “chief implementing and coordinating body of public education in Florida, except for the State University System” and is authorized to adopt rules to implement the provisions of law conferring duties upon the SBE to improve the state system of K-20 public education except for the state university system.²⁰ As such, the SBE has governing authority over the FCS institutions and districts school boards, and is authorized to delegate SBE's general powers to the Commissioner of Education or the directors of the divisions of the Florida Department of Education (DOE).²¹

¹¹ *Id.*

¹² The State University System of Florida consists of 12 state universities: Florida Agricultural and Mechanical University, Florida Atlantic University, Florida Gulf Coast University, Florida International University, Florida Polytechnic University, Florida State University, New College of Florida, University of Central Florida, University of Florida, University of North Florida, University of South Florida, and University of West Florida. Florida Board of Governors, State University System of Florida, <http://www.flbog.edu/aboutsus/universities/> (March 21, 2015).

¹³ Art. IX, s. 7(d), Fla. Const.

¹⁴ Art. IX, s. 7(c), Fla. Const.; s. 1001.71(1), F.S.

¹⁵ *Id.*

¹⁶ Art. IX, s. 7(c), Fla. Const.; *see also* Florida Board of Governors Regulation 1.001.

¹⁷ Florida Board of Governors Regulation 1.001(3)-(7).

¹⁸ Southern Association of Colleges and Schools, *Highest Degree Offered by an Institution*, <http://www.sacscoc.org/searchResults.asp> (last visited March 22, 2015).

¹⁹ Section 1, ch. 2012-129, L.O.F.

²⁰ Section 1001.02(1), F.S.

²¹ Section 1001.02(1) and (4), F.S.

Florida College System

There are 28 FCS institutions and their regional service areas are specified in law.²² Each FCS institution is governed by a local board of trustees.²³ Each FCS institution board of trustees must be comprised of 5 members if a FCS institution district is confined to one school board district; 7 members if a FCS institution district is confined to one school board district and the board of trustees so elects; and not more than 9 members if a FCS institution district contains two or more school board districts.²⁴ The FCS boards of trustees are appointed by the Governor and confirmed by the Senate.²⁵ Each FCS board of trustees is responsible for cost-effective policy decisions regarding the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the SBE, the measurement of performance, the reporting of information, and the provision of input on state policy, budgeting, and education standards.²⁶ FCS boards of trustees are authorized to adopt rules, procedures, and policies regarding admissions, programs, administration, personnel, contracts, and facilities.²⁷

All 28 FCS institutions are regionally accredited by SACS.²⁸

Technical Centers Operated by District School Boards

The state constitution provides that each county in Florida constitutes a school district and requires each district to be governed by a school board comprised of at least 5 members chosen by vote of the electors.²⁹ There are 67 district school boards. Each district school board must operate, control, and supervise all free public schools within the school district and determine the rate of school district taxes within the prescribed limits.³⁰ Florida law specifies the powers and duties of the districts school board.³¹

District school boards are authorized to establish or acquire career centers, after first obtaining approval from the DOE.³² A career center is a part of the district school system and offers terminal courses of a technical nature, and courses for out-of-school youth and adults.³³ A career center must be under the control of the district school board of the school district in which the

²² The 28 Florida College System (FCS) institutions are Eastern Florida State College; Broward College; College of Central Florida; Chipola College; Daytona State College; Florida SouthWestern State College; Florida State College at Jacksonville; Florida Keys Community College; Gulf Coast State College; Hillsborough Community College; Indian River State College; Florida Gateway College; Lake-Sumter State College; State College of Florida, Manatee-Sarasota; Miami Dade College, North Florida Community College; Northwest Florida State College; Palm Beach State College; Pasco-Hernando State College; Pensacola State College; Polk State College; St. Johns River State College; St. Petersburg College; Santa Fe College; Seminole State College of Florida; South Florida State College; Tallahassee Community College; and Valencia College. Section 1000.21(3), F.S.

²³ Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S. FCS institutions are statutorily-designated as political subdivisions of the state. Section 1004.67, F.S.

²⁴ Section 1001.61(1), F.S. Florida State College at Jacksonville must have an odd number of trustees. *Id.*

²⁵ Section 1001.61(2), F.S.

²⁶ Section 1001.64(1), F.S.

²⁷ Section 1001.64(4), F.S.

²⁸ Southern Association of Colleges and Schools, *Highest Degree Offered by an Institution*, <http://www.sacscoc.org/searchResults.asp> (last visited March 22, 2015).

²⁹ Art. IX, s. 4(a), Fla. Const.

³⁰ Art. IX, s. 4(b), Fla. Const.

³¹ Part II, ch. 1001, F.S.

³² Section 1001.44(1)-(2), F.S.

³³ Section 1001.44(3)(a), F.S.

center is located, and must be directed by a director “responsible through the district school superintendent to the district school board of the school district in which the center is located.”³⁴ There are 47 career centers that are operated by district school boards in Florida.³⁵

In addition, to career centers, the Legislature also authorized the creation of charter technical career centers that may be formed by creating a new school or converting an existing school district or FCS institution program to charter technical status.³⁶ According to legislative findings, a charter technical career center “can assist in promoting advances and innovations in workforce preparation and economic development.”³⁷ Further, a charter technical career center “may provide a learning environment that better serves the needs of a specific population or a group of occupations, thus promoting diversity and choices within the public education and public postsecondary technical education community in this state.”³⁸ There are 2 charter technical career centers that are operated by district school boards in Florida.³⁹

All 47 career centers and 2 charter technical career centers are accredited by the Council on Occupational Education (COE).⁴⁰

Mission

State University System

The purpose of the state university system is to “achieve excellence through teaching students, advancing research and providing public service for the benefit of Florida’s citizens, their communities and economies.”⁴¹

Florida College System

The primary mission and responsibility of FCS institutions is responding to community needs for postsecondary academic education and career degree education.⁴² Florida law specifies the following as the primary mission of FCS institutions:⁴³

- Providing lower level undergraduate instruction and awarding associate degrees.
- Preparing students directly for careers requiring less than baccalaureate degrees.

³⁴ *Id.*

³⁵ Florida Department of Education, *2013-14 Career and Adult Education Quick Facts*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/1314quickfacts.pdf> (last visited March 22, 2015).

³⁶ Section 1002.34(1), F.S.

³⁷ *Id.*

³⁸ Section 1002.34(1), F.S.

³⁹ Florida Department of Education, *A Comparison of State of Florida Charter Technical Career Centers to District Non-Charter Career Centers, 2013-14*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/charterreview14.pdf>, at 2 of 25.

⁴⁰ Florida Department of Education, Presentation to the Florida House of Representatives Higher Education & Workforce Subcommittee (Jan. 7, 2015), available at <http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=2853&Session=2015&DocumentType=Meeting%20Packets&FileName=hews%201-7-15.pdf>, at 8 of 87; Florida Department of Education, *A Comparison of State of Florida Charter Technical Career Centers to District Non-Charter Career Centers, 2013-14*, available at <http://www.fldoe.org/core/fileparse.php/9904/urlt/charterreview14.pdf>, at 3-4 of 25.

⁴¹ Art. IX, s. 7(a), Fla. Const.

⁴² Section 1004.65(5), F.S.

⁴³ *Id.*

- Providing student development services to ensure student success.
- Promoting economic development for the state through special programs (e.g., Enterprise Florida-related programs and workforce literacy programs).
- Providing dual enrollment instruction.
- Providing upper level instruction and awarding baccalaureate degrees that are authorized by law.

Additionally, a secondary mission of FCS institutions includes offering programs in:⁴⁴

- Community services that are not directly related to academic or occupational advancement.
- Adult education services.
- Recreational and leisure services.

Florida College System Institution Baccalaureate Degree Programs

The Legislature created the site-determined baccalaureate degree access program in 1999 to authorize community colleges to offer baccalaureate degrees to meet the economic development and educational needs of place-bound, nontraditional students in areas of the state that are underserved by 4-year institutions.⁴⁵

In 2001, the Legislature redesignated St. Petersburg Junior College as St. Petersburg College and authorized community colleges to offer baccalaureate degrees in populous counties that are underserved by public baccalaureate degree granting institutions.⁴⁶ The legislative intent to provide access to baccalaureate degrees was to “address the state’s workforce needs, especially the need for teachers, nurses, and business managers in agencies and firms that require expertise in technology.”⁴⁷ St. Petersburg College was the first college that the Legislature authorized to offer baccalaureate degrees.⁴⁸ The Legislature specified the purpose for authorizing St. Petersburg College to offer high quality undergraduate education at affordable prices is to “promote economic development by preparing people for occupations that require a bachelor’s degree and are in demand by existing or emerging public and private employers in this state.”⁴⁹

The SBE is responsible for reviewing and approving proposals by FCS institutions to offer baccalaureate degree programs.⁵⁰ The approval process requires the FCS institutions to submit a notice of intent to the Division of Florida Colleges (Division), within DOE, regarding the proposed baccalaureate degree program 100 days before the submission of the program proposal.⁵¹ Within 10 days after receipt of the notice, the Division must forward the notice of intent to the Chancellor of the State University System, the President of Independent Colleges and Universities of Florida (ICUF), and the Executive Director of the Commission for

⁴⁴ Section 1004.65(6), F.S.

⁴⁵ Section 1, ch. 99-290, L.O.F.

⁴⁶ Section 40, ch. 2001-170, L.O.F.

⁴⁷ *Id.*

⁴⁸ Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (March 10, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2894.pdf, at 48-49 of 97.

⁴⁹ Section 40, ch. 2001-170, L.O.F.

⁵⁰ Section 1001.03(15), F.S.

⁵¹ Section 1007.33(5)(a), F.S.

Independent Education.⁵² The state universities have 60 days, after receipt of the notice by the Chancellor of the State University system, to submit objections to the proposed program or submit an alternative proposal to offer the baccalaureate degree program. If the SBE does not receive a proposal from a state university within the 60-day period, the SBE is required to provide regionally accredited private colleges and universities 30 days to submit objections to the proposed program or submit an alternative proposal. Objections and alternative proposals must be submitted to the Division, and must be considered by the SBE in making its decision to approve or deny a FCS institution's baccalaureate degree program proposal.⁵³ The alternative proposal must address specified information (e.g., the extent to which the workforce demand and unmet need described in the notice of intent will be met; and the level of financial commitment of the college or university to develop, implement, and maintain the specified degree program).⁵⁴

Currently, 24 FCS institutions offer 175 baccalaureate degree programs.⁵⁵ In 2014, the Legislature placed a one-year moratorium on the State Board of Education's approval of new FCS baccalaureate degree programs.⁵⁶

Technical Centers Operated by District School Boards

Florida law does not provide a specific mission for the career centers.⁵⁷ However, the law specifies that career centers, under the control of district school boards, must offer terminal courses of a technical nature and courses for out-of-school youth and adults.⁵⁸

The purpose of charter technical career centers is to:⁵⁹

- Develop a competitive workforce to support local business and industry and economic development.
- Create a training and education model that is reflective of marketplace realities.
- Offer a continuum of career educational opportunities using school-to-work, tech-prep, technical academy, and magnet school model.
- Provide career pathways for lifelong learning and career mobility.
- Enhance career and technical training.

⁵² Section 1007.33(5)(b), F.S.

⁵³ *Id.*

⁵⁴ Section 1007.33(5)(c), F.S.

⁵⁵ The 24 colleges that are authorized to offer baccalaureate degree programs include St. Petersburg College, Chipola College, Miami Dade College, Northwest Florida State College, Daytona State College, Florida SouthWestern State College, Florida State College at Jacksonville, Indian River State College, Broward College, Palm Beach State College, Polk State College, Santa Fe College, Seminole College, State College of Florida-Manatee, College of Central Florida, Gulf Coast State College, Pensacola College, St. Johns River State College, Valencia College, Florida Gateway College, South Florida State College, Lake-Sumter State College, Eastern Florida State College, and Pasco-Hernando State College. Office of Program Policy Analysis and Government Accountability, Presentation to the Florida Senate Committee on Higher Education (March 10, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/HE/MeetingRecords/MeetingPacket_2894.pdf, at 49 of 97; Email, Office of Program Policy Analysis and Government Accountability (Feb. 13, 2015).

⁵⁶ Sections 3 and 22, ch. 2014-56, LO.F.

⁵⁷ Section 1001.44, F.S.

⁵⁸ Section 1001.44(3)(a), F.S.

⁵⁹ Section 1002.34(2), F.S.

Accountability

Board of Governors of the State University System of Florida

The BOG must develop a strategic plan specifying goals and objectives for the state university system and each constituent university, including each university's contribution to overall system goals and objectives.⁶⁰ The strategic plan must include specified information (e.g., performance metrics and standards common to all universities and standards unique to each university based on the core mission of each university, student enrollment and performance data, and criteria for designating baccalaureate and master's degree programs as high-demand programs of emphasis).⁶¹ Additionally, the BOG must develop an accountability plan for the state university system and each constituent university.⁶² The accountability plan, which must be submitted as part of the BOG's legislative budget request, must address each university's and the system's achievement of goals and objectives specified in the strategic plan.⁶³

The BOG has the authority to regulate the state university system and may adopt a regulation development procedure for the BOG and the university boards of trustees to use in implementing their constitutional duties and responsibilities.⁶⁴ If the BOG determines that a state university board of trustees is unwilling or unable to comply with any law or BOG rule or regulation or audit recommendation within the specified time, the BOG is authorized to initiate corrective actions (e.g., withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds appropriated to the BOG by the Legislature, declare the university ineligible for competitive grants disbursed by the BOG; and report the university to the Legislature and recommend action to be taken by the Legislature).⁶⁵

State Board of Education

The SBE must adopt a strategic plan that specifies goals and objectives for the state's public schools and the FCS institutions.⁶⁶ The plan must be formulated in conjunction with the BOG plans to coordinate the roles of the state universities and FCS institutions to best meet state needs and reflect cost-effective use of state resources.⁶⁷ The strategic plan must clarify the mission statements of each FCS institution and the system as a whole and identify degree programs, including baccalaureate degree programs, to be offered at each FCS institution in accordance with law and the coordinated 5-year plan for postsecondary enrollment.⁶⁸ The 5-year plan must be submitted to the Legislature as part of the SBE's legislative budget request.⁶⁹

Additionally, the SBE must identify performance metrics for the FCS institutions and develop a plan that specifies the goals and objectives for each FCS institution. The plan include specified information (i.e., performance metrics and standards common for all FCS institutions and

⁶⁰ Section 1001.706(5)(b), F.S.

⁶¹ *Id.*

⁶² Section 1001.706(5)(c), F.S.

⁶³ *Id.*

⁶⁴ Section 1001.706(2)(a), F.S.

⁶⁵ Section 1008.322(5), F.S.

⁶⁶ Section 1001.02(3)(a), F.S.

⁶⁷ *Id.*

⁶⁸ Section 1001.02(2)(v) and (3)(a), F.S.

⁶⁹ *Id.*

metrics and standards unique to each institution based on the core mission of each institution, and student enrollment and performance data).⁷⁰

The SBE is entrusted with the oversight authority to enforce compliance with law and SBE rule by all district school boards and FCS institution boards of trustees.⁷¹ If the SBE determines that a district school board or a FCS institution board of trustees is unwilling or unable to comply with law or SBE rule within the specified time, the SBE is authorized to initiate corrective actions (e.g., withhold the transfer of state funds, discretionary grant funds, discretionary lottery funds, or any other funds specified as eligible for this purpose by the Legislature; declare the school district or FCS institution ineligible for competitive grants; and report the school district or the FCS institution to the Legislature and recommend action to be taken by the Legislature).⁷²

Articulation

The SBE and the BOG must collaborate to create and adopt articulation policies with input from statewide K-20 advisory groups established by the Commissioner of Education and the Chancellor of the State University System, and recommend policies to the Legislature.⁷³ The policies must relate to:⁷⁴

- The alignment between exit requirements of one education system and the admissions requirements of another education system into which students typically transfer.
- The identification of common courses, the level of courses, institutional participation in the statewide course numbering system, and the transferability of credits among such institutions.
- Identification of courses that meet general education or common degree program prerequisite requirements at public postsecondary educational institutions.
- Dual enrollment course equivalencies.
- Articulation agreements.

The SBE, in conjunction with the BOG, must establish an articulation accountability process, which must address specified issues such as:⁷⁵

- The impact of articulation processes on educational continuity and the orderly and unobstructed transition of students between public secondary and postsecondary education systems and facilitating the transition of students between public and private sectors.
- The smooth transfer of FCS associate degree graduates to a state university.

Higher Education Coordinating Council

The Legislature created the Higher Education Coordinating Council (HECC or council) in 2010⁷⁶ to identify unmet needs; facilitate solutions to disputes regarding the creation of new degree programs and the establishment of new institutes, campuses, or centers; and facilitate solutions to

⁷⁰ Section 1001.03(16), F.S.

⁷¹ Sections 1001.03(8) and 1008.32, F.S.

⁷² Section 1008.32(4), F.S.

⁷³ Section 1007.01(2), F.S.

⁷⁴ *Id.*

⁷⁵ Section 1008.38, F.S.

⁷⁶ Section 12, ch. 2010-78, L.O.F.

data issues identified by the Articulation Coordination Committee (ACC) to improve the K-20 education performance accountability system.⁷⁷ HECC includes the following members:⁷⁸

- One member of the Board of Governors, appointed by the chair of the Board of Governors.
- The Chancellor of the State University System.
- The Chancellor of the Florida College System.
- One member of the State Board of Education (SBE), appointed by the chair of the SBE.
- The Executive Director of the Florida Association of Postsecondary Schools and Colleges.
- The president of the Independent Colleges and Universities of Florida.
- The president of Workforce Florida, Inc., or his or her designee.
- The president of Enterprise Florida, Inc., or a designated member of the Stakeholders Council appointed by the president.
- Three representatives of the business community, one appointed by the President of the Senate, one appointed by the Speaker of the House of Representatives, and one appointed by the Governor, who are committed to developing and enhancing world class workforce infrastructure necessary for Florida's citizens to compete and prosper in the ever-changing economy of the 21st century.

The appointed members serve 2-year terms and the chair of the HECC is elected annually by a majority of the council members.⁷⁹

Private Postsecondary Educational Institutions

A postsecondary educational institution must obtain licensure from the Commission for Independent Education (CIE or commission) to operate in the state of Florida, unless such institution is not under CIE's jurisdiction or purview.⁸⁰

The commission is responsible for developing minimum standards to evaluate institutions for licensure.⁸¹ Current law requires that the standards must, at a minimum, include the institution's name, financial stability, purpose, administrative organization, admissions and recruitment, educational programs and curricula, retention, completion, career placement, faculty, learning resources, student personnel services, physical plant and facilities, publications, and disclosure statements about the status of institutions related to professional certification and licensure.⁸²

Institutions that are exempt from licensure by the commission include, but are not limited to, Independent Colleges and Universities of Florida (ICUF) institutions that are eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program.⁸³ Such colleges and universities must be not for profit, located and chartered in Florida, and accredited by SACS

⁷⁷ Section 1004.015(1), F.S.

⁷⁸ Section 1004.015(2), F.S.

⁷⁹ Section 1004.015(2), F.S.

⁸⁰ Sections 1005.31(1)(a) and 1005.06(1), F.S.

⁸¹ Section 1005.31(2), F.S.

⁸² *Id.*

⁸³ Section 1005.06(1)(c), F.S.

to grant baccalaureate degrees.⁸⁴ Currently, there are 31 ICUF institutions that are regionally accredited by SACS.⁸⁵

Career Education

The purpose of career education is to help individuals attain and sustain employment and realize economic self-sufficiency.⁸⁶ The Legislature intends that the standards that are provided in law⁸⁷ be considered in the development of accountability standards for public schools and for FCS institutions.⁸⁸

- For a school board, superintendent, career center, and FCS institution, accountability for career education programs includes, but is not limited to:
 - Student demonstration of the academic skills necessary to enter an occupation.
 - Student preparation to enter an occupation in an entry-level position or continue postsecondary study.
 - Career program articulation with other corresponding postsecondary programs and job training experiences.
 - Employer satisfaction with the performance of students who complete career education or reach occupational completion points.
 - Student completion, placement, and retention rates pursuant to career program reporting requirements.⁸⁹
- For the Florida Department of Education (DOE), accountability for career education includes, but is not limited to:
 - The provision of timely, accurate technical assistance to school districts and FCS institutions.
 - The provision of timely, accurate information to the SBE, the Legislature, and the public.
 - The development of policies, rules, and procedures that facilitate institutional attainment of the accountability standards and coordinate the efforts of all divisions within the department.
 - The development of program standards and industry-driven benchmarks for career, adult, and community education programs, which must be updated every 3 years. The standards must include career, academic, and workplace skills; viability of distance learning for instruction; and work/learn cycles that are responsive to business and industry.
 - Overseeing school district and FCS institution compliance with the provisions of public postsecondary education.

⁸⁴ *Id.*

⁸⁵ The 31 ICUF institutions are Adventist University of Health Sciences, Ave Maria University, Barry University, Beacon College, Bethune-Cookman University, Clearwater Christian College, Eckerd College, Edward Waters College, Embry-Riddle Aeronautical University, Everglades University, Flagler College, Florida College, Florida Institute of Technology, Florida Memorial University, Florida Southern College, Hodges University, Jacksonville University, Keiser University, Lynn University, Nova Southeastern University, Palm Beach Atlantic University, Ringling College of Art and Design, Rollins College, Saint Leo University, Southeastern University, St. Thomas University, Stetson University, University of Miami, University of Tampa, Warner University, and Webber International University. Independent Colleges and Universities of Florida, *Institutions*, <http://www.icuf.org/newdevelopment/schools/> (last visited March 22, 2015); Independent Colleges and Universities of Florida, *About Us*, <http://www.icuf.org/newdevelopment/about-icuf/> (March 22, 2015).

⁸⁶ Section 1004.92(1), F.S.

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ Section 1008.43, F.S.

- Ensuring that the educational outcomes for the technical component of career programs are uniform and designed to provide a graduate who is capable of entering the workforce on an equally competitive basis regardless of the institution of choice.

Collegiate High School Program

In 2014, the Legislature established the collegiate high school program⁹⁰ that required each school district and its local Florida College System institution to execute a contract to establish one or more collegiate high school programs at a mutually agreed-upon location or locations.⁹¹ At a minimum, the collegiate high school program must include an option for public school students in grades 11 and 12 participating in the program, for at least one full school year, the opportunity to:⁹²

- Earn career and professional education (CAPE) industry certifications and
- Successfully complete 30 credit hours through the dual enrollment program toward the first year of college for an associate degree or a baccalaureate degree while enrolled in the collegiate high school program.

A Florida College System institution may execute a contract with a school district outside the FCS institution's designated service area if the local FCS institution for that school district does not execute a contract with the school district, beginning with the 2015-2016 school year.⁹³ Additionally, a district school board may execute a contract with a state university or an ICUF institution to establish a collegiate high school program.⁹⁴

A collegiate high school program contract must be executed by January 1 of each school year for implementation of the program during the next school year.⁹⁵

III. Effect of Proposed Changes:

The bill realigns the mission and roles of Florida's public postsecondary education systems and institutions in meeting Florida's labor market demands and community and regional needs. Specifically, the bill:

- Clarifies the mission of state universities, Florida College System (FCS) institutions, career centers, and charter technical career centers regarding state expectations.
- Renames the FCS as the Florida Community College System (FCCS).
- Strengthens Florida's "2+2" system of articulation and guaranteed transfer of credit hours earned through acceleration mechanisms (e.g., Advanced Placement, International Baccalaureate Program, Advanced International Certificate of Education Program, and dual enrollment), career and professional education (CAPE) industry certifications, and courses at FCCS institutions.
- Strengthens expectations and state oversight of baccalaureate degree programs offered by FCCS institutions.

⁹⁰ Section 10, ch. 2014-184, L.O.F.

⁹¹ Section 1007.273(1), F.S.

⁹² Section 1007.273(2), F.S.

⁹³ Section 1007.273(3), F.S.

⁹⁴ Section 1007.273(5), F.S.

⁹⁵ Section 1007.273(3), F.S.

- Modifies the purpose and responsibilities of career education.
- Emphasizes access to the collegiate high school program by prohibiting an enrollment cap on the collegiate high school program contract and requires school districts and colleges to report student enrollment information to the Florida Department of Education (DOE).

Mission

The bill reinforces the state's expectation that institutions within Florida's K-20 education system must avoid wasteful duplication of programs offered by state universities, FCS institutions, and technical centers that are operated by district school boards. Specifically, the bill:

- Reinforces the State Board of Education's (SBE) authority to monitor compliance, initiate action, and report to the legislature instances of noncompliance.
- Reinforces the mission of the state university system is to promote excellence through teaching students, advancing research, and providing public service for the benefit of Florida's citizens and their communities and economies, including offering undergraduate and graduate level instruction.

The bill renames the Florida College System (FCS) as the Florida Community College System (FCCS) and the Division of Florida Colleges as the Division of Florida Community Colleges, and directs the Division of Law Revision and Information to develop reviser's bill for the 2016 legislative session to codify the name change.

The bill also revises the mission statements of public postsecondary institutions by:

- Specifying that the primary mission of a career center or a charter technical career center that is operated by a district school board is to promote advances and innovations in workforce preparation and economic development; except that a career center or a charter technical career center may not award college credit.
- Changing from a primary to a secondary mission of FCCS institutions, the provision of upper level instruction and awarding of baccalaureate degrees.
- Requiring any institution that meets the academic and research excellence standards for consideration of preeminent status to enter into, and maintain, a formal agreement with the National Merit Scholarship Corporation to offer College-sponsored Merit Scholarship® awards to be designated as a preeminent state research university.

The bill defines "college" to accurately reflect the primary mission of public postsecondary institutions serving community and regional needs:

- A community college institution that offers a substantially complete program that confers at least an associate degree requiring at least 15 semester hours or the equivalent of general education, or that furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit.
- Prohibits the use of the term "state," or otherwise indicating a statewide presence, in a community college institution name unless expressly authorized by law.
- Requires the community college institutions to change their names, by December 1, 2015, to accurately reflect the community college's service area in order to be eligible to receive state funds.

Florida's 2+2 System of Articulation

The bill reinforces a primary responsibility of the SBE and the BOG is to preserve Florida's "2+2" system of articulation and to improve and facilitate articulation systemwide. Specifically, the bill requires articulation policies to address the application of credit hours earned through acceleration mechanisms (e.g., Advanced Placement, International Baccalaureate Program, Advanced International Certificate of Education Program, and dual enrollment), CAPE industry certifications, and courses at FCCS institutions to general education, associate degree, or bachelor degree.

Baccalaureate Degree Programs Offered by Community Colleges

The bill prohibits colleges from offering Bachelor of Arts degrees and reinforces the primary mission of colleges to offer lower level instruction by establishing a five percent cap on upper level full-time equivalent (FTE) enrollment at a college as a percentage of combined total lower level and upper level FTE enrollment at the college.

Additionally, the bill extends the timeline for approving baccalaureate degree programs proposed by FCCS institutions to provide sufficient time for objections by state universities or non-profit, SACS-accredited independent colleges and universities in the college's regional service area. Specifically, the bill:

- Requires colleges to provide at least one year notice before submitting a proposal to offer a bachelor degree to the Chancellor of the State University System, and the President of Independent Colleges and Universities of Florida (ICUF).
- Requires a college baccalaureate degree proposal to include a justification for the proposed program, including a data-driven analysis, verified by more than one third-party professional entity, of workforce demand and unmet need and to what extent the proposed program will meet the workforce demand and unmet need; requires the justification be forwarded to the Chancellor of the State University System, the President of ICUF, and Executive Director of the Commission for Independent Education.
- Eliminates the requirement that an alternative proposal be submitted by a state university or ICUF institution.

The bill also reinforces the state's expectation of college affordability by requiring the college's program enrollment projections and funding requirements to include the college's efforts to sustain the program at a cost of tuition and fees for Florida residents not to exceed \$10,000 for the entire degree program, including utilization of waivers authorized by law.

Finally, the bill strengthens state oversight responsibilities by requiring:

- The SBE to consult with the Chancellor of the State University System to consider objections raised by state universities before approving or denying a college's proposal.
- The SBE to annually review baccalaureate degree program performance and compliance indicators, and needs assessments.
- The SBE to direct a FCCS boards of trustees to terminate a baccalaureate degree program if the state's review indicates negative performance and compliance results and the college fails to demonstrate a need for the program.

Career Education

The bill modifies requirements for career education by:

- Adding the Chancellor of Career and Adult Education as a member of the Higher Education Coordinating Council, and
- Modifying the purpose and responsibilities of career education to require that the career education program standards and benchmarks developed by the Florida Department of Education (DOE) reflect the quality components of career and technical education, and requires the State Board of Education (SBE) to adopt rules.

Collegiate High School Program

The bill emphasizes access to the collegiate high school program by prohibiting establishment of an enrollment cap in the collegiate high school program contract. Additionally, the bill requires:

- Each school district to document and annually report to DOE the number of students accepted into or denied access to the collegiate high school program.
- Each FCCS institution to document and annually report to DOE the percent of collegiate high school program students in its institution relative to the total lower level full-time equivalent enrollment at that institution.

The bill takes effect July 1, 2015.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

CS/SB 1252 may require some current Florida College System (FCS) institutions to change their name. A required name change will likely result in costs associated with signage and other marketing materials; however, FCS institutions that previously elected to change their name did so without an appropriation of state funds. The bill has no fiscal impact on state funds.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1000.03, 1000.21, 1001.02, 1001.03, 1001.42, 1001.44, 1001.60, 1001.705, 1001.7065, 1002.34, 1004.015, 1004.65, 1004.92, 1007.01, 1007.23, 1007.273, 1007.33, and 1008.38.

This bill creates two undesignated sections of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Higher Education on March 23, 2015:

The committee substitute maintains the original substance of SB 1252 with the following modifications:

- Clarifies the mission of state universities, Florida Community College System (FCCS) institutions, career centers, and charter technical career centers regarding state expectations.
- Clarifies Florida's "2+2" system of articulation and guaranteed transfer of credit hours earned through acceleration mechanisms (e.g., Advanced Placement, International Baccalaureate Program, Advanced International Certificate of Education Program, and dual enrollment), CAPE industry certifications, and courses at FCCS institutions.
- Clarifies expectations and state oversight of baccalaureate degree programs offered by FCCS institutions.
- Prohibits the establishment of an enrollment cap in the collegiate high school program contract and requires school districts and colleges to report student enrollment information to the Florida Department of Education.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
