

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 789 Florida College System Institutions Offering Baccalaureate Degree Programs

SPONSOR(S): Plasencia

TIED BILLS: None **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Higher Education & Career Readiness Subcommittee	15 Y, 0 N	Sleap	Bishop
2) Higher Education Appropriations Subcommittee	9 Y, 0 N	Butler	Lloyd
3) Education Committee			

SUMMARY ANALYSIS

The bill authorizes a Florida College System (FCS) institution that offers one or more baccalaureate degree programs to participate in 4-year intercollegiate athletics.

FCS student athletes could continue to compete in their intercollegiate athletic program for the duration of their 4-year degree without having to relocate and/or transfer to another institution, which may result in a cost savings to the student.

The bill has no fiscal impact.

The bill provides an effective date of July 1, 2019.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Baccalaureate's at Florida College System Institutions

Current Situation

To address local economic development needs as well as the increased number of non-traditional, place-bound students, the Florida Legislature expanded access to baccalaureate degree programs by authorizing Florida College System (FCS) institutions to offer one or more baccalaureate degree programs.¹ FCS institutions offering a baccalaureate degree may do so through a formal agreement with four-year public or private postsecondary institutions or by seeking approval from the State Board of Education and ensuring that the degree meets district, regional, or statewide workforce needs.²

A total of 188 baccalaureate degree programs have been approved at FCS institutions. Twenty-seven of the 28 FCS institutions offer baccalaureate degrees, with Hillsborough Community College being the exception. A list of the specific programs for each institution is available on the Department of Education's website.³

If approved by the state board to offer one or more baccalaureate degree programs, an FCS institution must:

- maintain, as its primary mission, responsibility for responding to community needs for postsecondary academic education and career degree education and for providing associate degrees that provide access to a university;
- maintain an open-door admissions policy for associate-level degree and workforce education programs;
- continue to provide developmental education and outreach to underserved populations;
- comply with all provisions of the statewide articulation agreement; and
- not award graduate credit or participate in intercollegiate athletics beyond the two-year level.⁴

Two-Year Intercollegiate Sports at Florida College System Institutions

FCS institutions offer a variety of two-year intercollegiate athletic programs at their institutions. The National Junior College Athletic Association (NJCAA) is the governing body of two-year college athletics⁵, with Florida's institutions belonging to region eight.⁶ Within Florida, the Florida College System Activities Association (FCSAA) serves as the statewide non-profit corporation regulating, coordinating, and promoting intercollegiate activities in athletics as well as other academic and music activities.⁷ The FCSAA has five conferences for intercollegiate competition in the state, with particular

¹ Section 1007.33(1)(a), F.S.

² See Section 1007.33(4)(a)-(c), F.S.

³ Florida Department of Education, Florida Colleges, Florida College Bachelor's Degree Programs, *List of Approved Bachelor's Degree Programs by College*, (2017) available at <https://www.floridacollegesystem.com/sites/www/Uploads/files/Downloads/10DigitCIPs.xls>.

⁴ Section 1007.33(2)(a)-(g), F.S.

⁵ National Junior College Athletic Association, *History of the NJCAA*, <http://www.njcaa.org/about/history/index> (last visited March 8, 2019).

⁶ National Junior College Athletic Association, *Organization of NJCAA Regions*, http://www.njcaa.org/member_colleges/Organization_of_NJCAA_Regions (last visited March 8, 2019).

⁷ Florida College System Activities Association, *About the FCSAA*, http://thefcsaa.com/about_us/About_the_FCSAA (last visited March 8, 2019).

sports aligned to each conference.⁸ For 2018-2019, 25 of Florida's 28 FCS institutions participated in sports programs, including among others, basketball, baseball, cross country, softball, and volleyball.⁹ A number of student-athletes from FCS two-year athletic programs continue on to four-year college or university athletics programs in Florida and throughout the United States.¹⁰

Student Athlete Scholarships

Under NJCAA financial aid and eligibility rules, member colleges provide sports scholarships based on the number of scholarships a team can have, or "headcount".¹¹ For example, 2018-2019 NJCAA sports procedures allows for 15 letters of intent/scholarships for each men and women's basketball team, and 24 for each men and women's fall soccer team.¹² Each institution belonging to the NJCAA chooses to compete on the Division I, II, or III level in designated sports. A member college may participate across multiple divisions in various sports, competing with specific policies and guidelines published in NJCAA bylaws.¹³ Student athlete scholarships for each division are governed under NJCAA as:

- Division I may grant the number of scholarships listed in NJCAA Sports Procedures.
- Division II may grant the number of scholarships listed in NJCAA Sports Procedures, but are limited to tuition, course related fees, course related books and up to \$250 in course required supplies.
- Division III may not offer athletic scholarships.¹⁴

Unlike, two-year college scholarship rules, a four-year athletic governing body like the National Collegiate Athletic Association (NCAA), allows some varsity programs to offer "equivalency" scholarships.¹⁵ These scholarship awards have no restriction on how many athletes can be on scholarship, allowing awards to be split into partial scholarships in any proportion up to the maximum allowed.¹⁶ There is a limit to the partial scholarships, referred to as the maximum number of counters for the sport.¹⁷ For example, NCAA Division I baseball has an annual limit of 11.7 on the value of financial aid awards (equivalencies) to counters and an annual limit of 27 on the total number of counters in baseball at each institution.¹⁸ The NJCAA limits Division I baseball scholarships to 24 headcount scholarships.¹⁹

⁸ Florida College System Activities Association, *Council for Athletic Affairs Handbook* (2018), available at http://www.thefcsaa.com/resources/CAA_Handbook_2018_November.pdf.

⁹ Florida College System Activities Association, FCSAA Resources, *2018-19 FCSAA Sports Offerings* (2018), available at http://thefcsaasports.com/about_the_fcsaa/Sports_Offerings_2018-2019.pdf.

¹⁰ Florida College System Activities Association, Athletics, Stepping Stones, *Four-Year Colleges & Universities* http://thefcsaasports.com/stepping_stones/2017-18_Transfers (last visited March 8, 2019).

¹¹ National Junior College Athletic Association, *Eligibility Rules Pamphlet 2018-2019* (2018), available at https://mvp.njcaa.org/DocumentsAndFiles/NjcaaForms/180723_10_Eligibility%20Pamphlet%202018.pdf. at Article VI, Section 2(A)(A1).

¹² *Id.* at Appendix B, *2018-2019 NJCAA Sports Procedures*.

¹³ National Junior College Athletic Association, Member Colleges, *Divisional Structure*, http://www.njcaa.org/member_colleges/Divisional_Structure (last visited March 8, 2019).

¹⁴ National Junior College Athletic Association, *Eligibility Rules Pamphlet 2018-2019* (2018), available at https://mvp.njcaa.org/DocumentsAndFiles/NjcaaForms/180723_10_Eligibility%20Pamphlet%202018.pdf. at Appendix B.

¹⁵ National Collegiate Athletic Association, *2018-2019 Division I Manual* (August 1, 2018) available at <http://www.ncaapublications.com/productdownloads/D119.pdf>. at 15.5.3.

¹⁶ *Id.* at 15.5.3.2.

¹⁷ *Id.* at 15.02.3.

¹⁸ *Id.* at 15.5.4.

¹⁹ National Junior College Athletic Association, *Eligibility Rules Pamphlet 2018-2019* (2018), available at https://mvp.njcaa.org/DocumentsAndFiles/NjcaaForms/180723_10_Eligibility%20Pamphlet%202018.pdf. at Appendix B, 2018-2019 NJCAA Sports Procedures.

Effect of Proposed Changes

For an FCS institution that offers one or more baccalaureate degree programs, the bill amends the level of intercollegiate athletics the FCS institution may participate in from not beyond the 2-year level to include both the 2-year and 4-year levels.

The bill would allow students enrolled in a 4-year baccalaureate program at an FCS institution to compete in their sport for 4-years without having to transfer to another institution.

Additionally, under the governance of a four-year athletic governing body, a college's athletic program could offer additional scholarships based on the governing body's guidelines.

B. SECTION DIRECTORY:

Section 1: Amends s.1007.33, F.S., authorizing a Florida College System institution that offers one or more baccalaureate degree programs to participate in intercollegiate athletics at the 2-year and 4-year levels.

Section 2: Provides an effective date of July 1, 2019.

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:

FCS student athletes could continue to compete in their intercollegiate athletic program for the duration of their 4-year degree without having to relocate and/or transfer to another institution, which may result in a cost savings to the student.

D. FISCAL COMMENTS:

None.

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:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

None.