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DATE: January 23, 2002

HOUSE OF REPRESENTATIVES
COUNCIL FOR LIFELONG LEARNING
ANALYSIS

BILL #: HB 341
RELATING TO: State Universities
SPONSOR(S): Representative(s) Maygarden
TIED BILL(S): None

ORIGINATING COMMITTEE(S)/COUNCIL(S)/COMMITTEE(S) OF REFERENCE:

- (1) COLLEGES & UNIVERSITIES YEAS 9 NAYS 0
 - (2) EDUCATION APPROPRIATIONS YEAS 11 NAYS 0
 - (3) COUNCIL FOR LIFELONG LEARNING YEAS 12 NAYS 0
 - (4)
 - (5)
-

I. SUMMARY:

Current law authorizes the Board of Regents (BOR) to approve new degree programs for state universities but prohibits the establishment of any new college, school, or functional equivalent of any program leading to a degree which is offered as a credential for a specific license granted under the Florida Statutes or State Constitution without specific approval of the Legislature. Chapter 2001-170, L.O.F., transferred the powers and duties of the BOR to the Florida Board of Education effective July 1, 2001. Although the BOR has been dissolved, actions of the BOR prior to its dissolution remain in effect.

Prior to the transfer of the BOR's powers and duties, the BOR approved implementation authorization for a Bachelor of Science in Nursing degree program at the University of West Florida (UWF) and a Master's in Social Work degree program at Florida Atlantic University (FAU). Both of these programs result in degrees that serve as credentials for licensure and consequently also require approval by the Legislature.

This bill authorizes a Bachelor of Science in Nursing degree program at UWF and a Master's in Social Work degree program at FAU.

Information provided by UWF estimates the first year cost of the proposed nursing program to be \$512,260. Information provided by FAU estimates the first year cost of the proposed social work program to be \$362,380. Additionally, representatives of the State University System report that the universities anticipate that any additional costs incurred by the two degree programs will be covered by the offering universities through funding provided for enrollment growth and discretionary program enhancements.

The offering of these two programs at their respective institutions is expected to result in a nominal increase in enrollment at UWF and FAU. This increased enrollment will result in tuition and fee revenue.

The effective date of the bill is upon becoming law.

II. SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

- | | | | |
|-----------------------------------|---|--|---|
| 1. <u>Less Government</u> | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> | N/A <input type="checkbox"/> |
| 2. <u>Lower Taxes</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. <u>Individual Freedom</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 4. <u>Personal Responsibility</u> | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/> |
| 5. <u>Family Empowerment</u> | Yes <input type="checkbox"/> | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |

For any principle that received a "no" above, please explain:

This bill authorizes new degree program offerings at the University of West Florida (UWF) and Florida Atlantic University (FAU).

B. PRESENT SITUATION:

State University System Academic Degree Program Approval

Section 240.209(2)(c), F.S., authorizes the Board of Regents (BOR) to approve new degree programs for all state universities. Chapter 2001-170, L.O.F., transferred the powers and duties of the BOR to the Florida Board of Education effective July 1, 2001. Although the BOR has been dissolved, actions of the BOR prior to its dissolution remain in effect.

The program approval process used by the BOR considered 25 criteria: strategic plan; program duplication; planning process; appropriate timetable; needs assessment; headcount/FTE estimates; appropriate course of study; appropriate credit hours; common prerequisites; institutional strengths; recent program review follow-up; exploration of distance learning; faculty availability; faculty experience; commitment to hire new faculty; library resources; facilities; equipment; scholarship and assistantships; clinical and internship sites identified; impact of institutional resource shifting; budget; community college articulation; accreditation; and faculty productivity. Prior to the transfer of the BOR's powers and duties, the BOR approved implementation authorization for a Bachelor of Science in Nursing degree program at UWF (November 2000) and a Master's in Social Work degree program at FAU (July 2000).

Section 240.209(2)(c), F.S., also requires approval of the Legislature to implement new colleges, schools, or functional equivalents that offer a degree that is a credential for specific licensure. Both of the aforementioned programs approved by the BOR result in degrees that serve as credentials for licensure and consequently also require approval by the Legislature.

Requirements for Florida Licensure as a Nurse

Section 464.008, F.S., sets forth the licensure by examination requirements for persons desiring to be licensed as a registered nurse or licensed practical nurse. These requirements include proof of graduation from a board approved nursing program for licensure as a registered nurse or the successful completion of courses in a professional nursing program which are equivalent to a practical nursing program for licensure as a licensed practical nurse. Section 464.003(7), F.S.,

defines an approved program as a nursing program conducted in a school, college, or university, which is approved by the board pursuant to s. 464.019, F.S., for the education of nurses.

Approval of Nursing Programs

Section 464.019, F.S., requires an institution desiring to conduct an approved nursing program for the education of professional or practical nurses to apply to the Department of Health and submit evidence that demonstrates compliance with the Nurse Practice Act (Part I of ch. 464, F.S.) and with the rules of the Board of Nursing. The application must include a program review fee that may not exceed \$1,000.

The Board of Nursing must adopt rules regarding the educational objectives, faculty qualifications, curriculum guidelines, administrative procedures, and clinical training as are necessary to ensure that approved programs graduate nurses capable of competent practice under the Nurse Practice Act.

The Department of Health must survey each institution applying for approval and submit its findings to the Board of Nursing. If the Board of Nursing is satisfied that the program meets the requirements of the Nurse Practice Act and rules pursuant thereto, the Board of Nursing must certify the program for approval and the Department of Health must approve the program. Provisional approval of new programs may be granted pending the licensure results of the first graduating class.

Board of Regent's Review of UWF's Nursing Proposal

The BOR considered and approved UWF's request for authorization to implement a Bachelor of Science in Nursing program at the BOR's November 2000 meeting. Background materials for that meeting provide the following information:

UWF currently offers an RN to BSN nursing program, but not a four-year generic B.S. in Nursing. The proposed program seeks to provide the latter degree. Within the past several years, UWF has worked closely with the healthcare community in its service area to develop a proposed program, which responds to an acute shortage of nurses in northwest Florida. Area hospitals have pledged \$300,000 to initiate the program and are willing to provide additional support in the form of tuition reimbursement for hospital employees, clinical experience for students, use of hospital classrooms, clinical laboratories, and other in-kind contributions.

This program will adopt the statewide common prerequisites for nursing. The number of credit hours required will be 124, consistent with the requirements of the other generic B.S. in Nursing degree programs in the State University System (SUS). UWF has committed to hire one new faculty member in each of the next five years. A search is underway for the first of the new hires. UWF has also committed to providing necessary laboratories, equipment, and office and research space, phased in over the next three years.

UWF projects headcount for the first year to be 15 students (12 student FTE) and estimates costs for the first year of the program to be \$512,260. UWF projects headcount by the fifth year to be 60 students (45 student FTE) and estimates costs for the fifth year of the program to be \$667,759. This program has been identified as UWF's highest academic priority. UWF has indicated that it is prepared to make the financial commitment to the program from internal reallocation.

UWF sought authorization to implement the program in Fall 2001, but legislation granting the authorization failed to pass during the 2001 Legislative Session. Representatives of the State

University System indicate that UWF's projections for headcount and cost remain the same; however, UWF is now seeking Legislative authorization to implement the program in Fall 2002 with the admission of freshmen into the program.

Requirements for Florida Licensure as a Clinical Social Worker

Section 491.005, F.S., sets forth the licensure by examination requirements for a person desiring to be licensed as a clinical social worker. Those requirements include:

- 1) Receipt of a doctoral degree in social work from a graduate school of social work which at the time the applicant graduated was accredited by an accrediting agency recognized by the United States Department of Education; or
- 2) Receipt of a master's degree in social work from a graduate school of social work which at the time the applicant graduated:
 - a) Was accredited by the Council on Social Work Education;
 - b) Was accredited by the Canadian Association of Schools of Social Work; or
 - c) Has been determined to be a program equivalent to programs approved by the Council on Social Work Education by the Foreign Equivalency Determination Service of the Council on Social Work Education. An applicant who graduated from a program at a university or college outside of the United States or Canada must present documentation of the equivalency determination from the council in order to qualify.

Board of Regent's Review of FAU's Social Work Proposal

The BOR considered and approved FAU's request for authorization to implement a Master's in Social Work (MSW) program at the BOR's July 2000 meeting. Background materials for that meeting provide the following information:

The proposed program is listed on the SUS Strategic Plan and is consistent with FAU's mission as a Research II University with responsibility for providing educational opportunities to a diverse urban population. While the proposed program duplicates existing programs at six other state universities, an argument for starting a new program at FAU is based on local demand. An appropriate and well-sequenced curriculum has been developed after reviews of existing accredited MSW programs. The 60-semester credit hour program is also similar in length and content to MSW programs at other SUS institutions.

The proposed program's budget indicates that the addition of new faculty and the expansion of library holdings in support of the new program will be necessary. Three of the new faculty have already been hired.

FAU projects headcount for the first year to be 40 students (20 student FTE) and estimates costs for the first year of the program to be \$362,380. FAU projects headcount by the fifth year of the program to be 160 students (100 student FTE) and estimates costs for the fifth year of the program to be \$536,460. FAU expects this to be a relatively low cost program to implement, when compared to other MSW programs, because they have a large number of faculty already in place. (Documentation provided by FAU indicates that the university has agreed to commit five new faculty lines from new resources in order for this program to begin.)

FAU sought authorization to implement the program in Fall 2001, but legislation granting the authorization failed to pass during the 2001 Legislative Session. Representatives of the State University System indicate that FAU's projections for headcount and cost remain the same. If requisite approvals are given, full implementation is expected in Fall 2002.

C. EFFECT OF PROPOSED CHANGES:

This bill authorizes a Bachelor of Science in Nursing degree program at the University of West Florida.

This bill also authorizes a Master's in Social Work degree program at Florida Atlantic University.

D. SECTION-BY-SECTION ANALYSIS:

See above sections.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

See FISCAL COMMENTS.

2. Expenditures:

See FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

Residents of the service areas of UWF and FAU will have access to degree programs in nursing and social work without having to leave their respective communities. Graduates of these programs will be available to respond to the professional workforce needs in nursing and social work in their respective communities.

D. FISCAL COMMENTS:

Information provided by UWF estimates the first year cost of the proposed nursing program to be \$512,260. Information provided by FAU estimates the first year cost of the proposed social work program to be \$362,380. Additionally, representatives of the State University System report that the universities anticipate that any additional costs incurred by the two degree programs will be covered by the offering universities through funding provided for enrollment growth and discretionary program enhancements.

The offering of these two programs at their respective institutions is expected to result in a nominal increase in enrollment at UWF and FAU. This increased enrollment will result in tuition and fee revenue.

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds or to take action, which requires the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that counties or municipalities have to raise revenues.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

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

V. COMMENTS:

A. CONSTITUTIONAL ISSUES:

None.

B. RULE-MAKING AUTHORITY:

None.

C. OTHER COMMENTS:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

N/A

VII. SIGNATURES:

COUNCIL FOR LIFELONG LEARNING:

Prepared by:

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Staff Director:

Betty H. Tilton, Ph. D.

AS REVISED BY THE COMMITTEE ON EDUCATION APPROPRIATIONS:

Prepared by:

Robert Cox

Staff Director:

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AS FURTHER REVISED BY THE COUNCIL FOR LIFELONG LEARNING:

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