

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: PCB KINS 11-02 POSTSECONDARY EDUCATION

SPONSOR(S): K-20 Innovation Subcommittee

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

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-20 Innovation Subcommittee	13 Y, 0 N	Thomas	Sherry

SUMMARY ANALYSIS

The bill requires the Higher Education Coordinating Council (HECC), with input from the State Board of Education and the Board of Governors, to recommend improvement options and implementation plans to:

- Define the missions of public and nonpublic postsecondary education institutions;
- Establish performance outputs and outcomes designed to meet annual and long-term state goals;
- Evaluate Florida's articulation policies and practices;
- Establish a plan that aligns school district and Florida College System (FCS) workforce development education programs and improve the consistency of workforce education data collection and reporting by colleges and school districts; and
- Recommend a plan for addressing baccalaureate degree authorization and production. The plan shall include:
 - An assessment of the potential need to establish comprehensive undergraduate institutions;
 - Recommendations regarding a threshold for student enrollment in upper division programs that could trigger changes in governance structure; and
 - State funding options and strategies.

The Department of Education, in addition to the Board of Governors, is required to provide administrative support to the HECC.

The HECC is required to submit a report by December 31, 2011, that specifically includes recommendations for legislative consideration during the 2012 Legislative Session.

Four-year doctor of medicine degree programs at state universities are required to receive a uniform base level of support per student, as determined annually in the General Appropriations Act. Each medical school is required to report annual expenditures and outcome data to the Board of Governors.

The Department of Education is required to utilize student performance data in subsequent coursework in determining appropriate Advanced Placement (AP), College-Level Examination Program (CLEP), International Baccalaureate (IB), and Advanced International Certificate of Education (AICE) examination scores for the receipt of college credit. The Department must annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded.

The exemption from the state university system summer term enrollment requirement for students who have earned 9 or more credits through acceleration mechanisms is repealed.

The provision governing the approval process for additional baccalaureate degrees at FCS institutions offering baccalaureate degree programs for 3 or more years is removed.

The fiscal impact of the bill is indeterminate. (See FISCAL COMMENTS)

The effective date of this act is July 1, 2011.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

STORAGE NAME: pcb02a.KINS

DATE: 3/23/2011

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

The bill establishes Legislative policy direction for several higher/postsecondary education issues, including: requirements for accelerated credit, exemption options for college baccalaureate degree programs, policy for funding state university medical schools, and topics for advisory reporting functions for the Higher Education Coordinating Council.

Higher Education Coordinating Council (HECC)

The Higher Education Coordinating Council was created by the Legislature in 2010 to identify unmet needs and to facilitate solutions to disputes regarding the creation of new degree programs and the establishment of new institutes, campuses, or centers. The Board of Governors (BOG) provides administrative support for the HECC.¹

The HECC is required to act as an advisory board to the Legislature, the State Board of Education and BOG. Recommendations of the HECC must be consistent with the following guiding principles:

- To achieve within existing resources a seamless academic educational system that fosters an integrated continuum of kindergarten through graduate school education for Florida's students;
- To promote consistent education policy across all educational delivery systems, focusing on students;
- To promote substantially improved articulation across all educational delivery systems;
- To promote a system that maximizes educational access and allows the opportunity for a high-quality education for all Floridians;
- To promote a system of coordinated and consistent transfer of credit and data collection for improved accountability purposes between the educational delivery systems.²

HECC is comprised of the following members: the Commissioner of Education; the Chancellor of the State University System of Florida; the Chancellor of the Florida College System; the Executive Director of the Commission for Independent Education; the Executive Director of the Independent Colleges and Universities of Florida; and two members representing the business community, one appointed by the President of the Senate and one by the Speaker of the House of Representatives.³

Articulation

Articulation among secondary and postsecondary education institutions and the provision of access to postsecondary education policies are governed by ch. 1007, F.S., and by rules of the State Board of Education and regulations of the Board of Governors.

The intent of the Legislature is to facilitate articulation and seamless integration of the K-20 education system by building and sustaining relationships among K-20 public organizations, between public and private organizations, and between the education system as a whole and Florida's communities. The purpose of building and sustaining these relationships is to provide for the efficient and effective progression and transfer of students within the education system and allow students to proceed toward their educational objectives as rapidly as their circumstances permit.⁴

¹ Section 1004.015(1), F.S.

² Section 1004.015(3), F.S.

³ Section 1004.015(2), F.S.

⁴ Section 1007.01(1), F.S.

Articulated Acceleration Mechanisms

Examination Scores

The Department of Education (DOE) is required to establish minimum scores, maximum credit, and courses for which credit is award for College-Level Examination Program (CLEP) exams, Advanced Placement (AP), Advanced International Certificate of Education (AICE), and International Baccalaureate (IB) examinations. DOE is also required to identify each course in the general education core curriculum of each state university and FCS institutions.⁵

Summer Term Enrollment

Students are provided an exemption from the university requirement that every student must enroll in at least one summer term for students who earns 9 or more credit hours through an acceleration mechanism, such as dual enrollment and advanced placement.⁶ Under BOG regulations all students entering the State University System with less than 60 credit hours must enroll in a minimum of 9 credit hours of coursework during one or more summer sessions. Exceptions are made for students who earn 9 or more credits from one or more of the acceleration mechanism, such as dual enrollment, early admission, advanced placement, and credit by examination.⁷

Workforce Education

Workforce education⁸ programs in Florida are designed to assist individuals in attaining skills necessary for economic self-sufficiency and provide training to meet local and state workforce needs. These programs include both adult general education and career education programs and may be offered by school districts and FCS institutions.⁹ State agency oversight for workforce education is provided by the Division of Career and Adult Education within the Department of Education (DOE).¹⁰ While both school districts and Florida College System (FCS) institutions are authorized to provide workforce education programs, only FCS institutions are permitted to award college credits.¹¹

In 2010, the Florida Legislature directed the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct a review of public workforce education programs for the purpose of identifying and analyzing the positive and negative aspects of merging the school district programs with FCS institution programs. OPPAGA found that school districts and colleges locally determine what workforce education programs to provide in their service areas and how to divide responsibility for these programs, resulting in a varied delivery system across the state. However, the entities tend to offer different types of workforce education programs and typically avoid duplicating programs within individual counties. With regard to consolidating workforce education, OPPAGA suggested that such reorganization could produce benefits. It could help provide more consistent policies and practices for workforce education programs, provide better alignment and articulation of postsecondary career education programs, and make it easier for some students to access financial aid. Consolidating adult education under school districts could help their efforts to address dropout prevention and recovery.¹²

⁵ Section 1007.27(2), F.S.

⁶ Section 1007.27(10), F.S.

⁷ Regulation 6.016 Summer Session Enrollment, Board of Governors and Board of Governors, Frequently Asked Questions, <http://www.flbog.org/forstudents/faq/#6> (last visited March 18, 2011).

⁸ Section 1004.02(26), F.S. (providing that “workforce education” means “adult general education or career education and may consist of a continuing workforce education course or a program of study leading to an occupational completion point, a career certificate, an applied technology program, or a career degree.”).

⁹ Sections 1004.02(3) and (26), 1004.92(1), 1004.93, and 1011.80(1) and (2), F.S.

¹⁰ Section 20.15(3)(c), F.S.

¹¹ Section 1011.80(2), F.S.

¹² Office of Program Policy Analysis and Government Accountability, *School Districts and Colleges Share Responsibility for Workforce Education; Duplication is Minimal*, Report No. 10-61 (December 2010).

Florida College System Institution's Mission

In April 2005, the OPPAGA released Report No. 05-20 *Authorizing Community Colleges to Award Baccalaureate Degrees Is One of Several Options to Expand Access to Higher Education*. The report stated that community colleges with baccalaureate programs could be at risk for “mission creep” as the number of community college baccalaureate programs and student enrollment in them increases. Within the higher education community, institutions that offer four-year degrees are often held in higher esteem than institutions that offer two-year degrees. Focusing on four-year degree programs could weaken the community colleges’ statutorily mandated focus on associate degree, certificate, and adult education programs. At the time the OPPAGA report was released only three colleges had successfully completed the application and approval process and offered baccalaureate degrees under their own authority.¹³

In 2007, the Pappas Consulting Group presented the Board of Governors with the results of its fall 2006 analysis of the current structure of the university system and made recommendations for future improvements. In the final report, “*Proposing a Blueprint for Higher Education in Florida: Outlining the Way to a Long-term Master Plan for Higher Education in Florida*”, the Pappas Group reported that Florida, by far, has the largest number of community colleges that offered baccalaureate programs in the United States and should pay attention to the possible dilution of emphasis on the traditional community college mission.¹⁴

History of Baccalaureate Degree Programs

In 1998-99, the State Board of Community Colleges, the Postsecondary Education Planning Commission (PEPC) [*renamed Council for Education Policy Research and Improvement (CEPRI)*], and the Senate Education Committee identified access to baccalaureate programs as a major issue in Florida, and recognized community colleges as a potential option for addressing that need.¹⁵

In 1999, the Legislature authorized community colleges to seek approval to provide upper division coursework and award baccalaureate degrees with CEPRI approval.¹⁶ In 2001, the Legislature, reestablished St. Petersburg Junior College as St. Petersburg College and authorized St. Petersburg College to offer baccalaureate degrees in applied science, nursing, and education. Four years after first receiving accreditation to offer baccalaureate degrees, the college was also authorized to offer additional baccalaureate degree programs if approved by local stakeholders based on community needs and economic opportunities.¹⁷ Later, additional institutions – Chipola Junior College, Edison Community College, Miami Dade Community College, and Okaloosa-Walton Community College – submitted baccalaureate proposals, with CEPRI serving as primary review.¹⁸

Florida College System (FCS) Institution Baccalaureate Degree Program

Concurrent or Joint-Use Partnership Baccalaureate Degree Programs

FCS institutions are statutorily authorized to offer baccalaureate or higher degree course work on their campuses through concurrent or joint-use partnerships with State University System institutions or independent colleges or universities. Partnerships are contractual in nature and do not require State Board of Education approval. Such partnerships enable students to earn a baccalaureate degree or higher from a four-year postsecondary institution while taking all or most of the course work on the FCS institution’s campus or via distance learning. Twenty-seven of Florida’s 28 colleges currently offer upper-level courses through concurrent-use or joint-use partnerships. As a result, concurrent-use partnerships have provided access to 409 upper-level baccalaureate programs, 134 masters programs,

¹³ The Office of Program Policy Analysis and Government Accountability, *Authorizing Community Colleges to Award Baccalaureate Degrees Is one of Several Options to Expand Access to Higher Education, Report No. 05-20 (April 2005)*.

¹⁴ Pappas Consulting Group, *Proposing a Blueprint for Higher Education in Florida: Outlining the Way to a long-term Master Plan for Higher Education in Florida, (2007)*.

¹⁵ HB 765 bill analysis (1999).

¹⁶ Section 1007.33, F.S. (formerly s. 240.3836, F.S.)

¹⁷ Section 1007.33(4)(c), F.S. (formerly ss. 240.5278, F.S. & 1004.73, F.S.)

¹⁸ Department of Education, Florida College System, *History of the Need for Baccalaureates Policy Paper (July 2005)*.

5 specialist programs, 11 doctoral programs and 6 professional programs at FCS institutions or shared facilities.¹⁹

Independently offered Baccalaureate Degree Programs

FCS institutions are also authorized to independently offer baccalaureate degree programs with approval by the State Board of Education²⁰ or in the case of St. Petersburg College, when approved by the college's board of trustees.²¹ The Florida College System has continued to expand its baccalaureate program offerings since 2001.

Currently, a total of 121 baccalaureate degree programs have been approved at 19 FCS institutions.²² FCS baccalaureate degree enrollment has increased dramatically from 2,834 in 2006 to 8,155 in 2009, an increase of 188%.²³

Notice of Intent to Offer a Baccalaureate Degree Program

A FCS institution proposing to offer a baccalaureate degree must notify the Division of Florida Colleges (Division) of its intent to propose a degree program at least 100 days before submitting its proposal to the division. The notice must describe the program, workforce demand and unmet need for graduates of the program, region served, and timeframe for implementation. Within 10 days of receipt of the notice, the Division must forward the notice to the chancellor of the state university system, the executive director of the Independent Colleges and Universities of Florida, and the executive director of the Commission for Independent Education. The state universities have 60 days following receipt of the notice to submit an alternative proposal to offer the baccalaureate degree. If the SUS hasn't submitted an alternative proposal within the 60 day period, the SBE must provide regionally accredited private colleges and universities 30 days to submit an alternative proposal.²⁴

Medical Education Program Funding

Florida is expanding its public medical education programs and schools. Currently, six state universities offer medical education programs – five medical schools currently operating at University of Florida, University of South Florida, Florida State University, University of Central Florida, and Florida International University and one public/private partnership between Florida Atlantic University and the University of Miami. With the expansion of medical education to six public universities, program enrollment is expected to increase to 2,716 students in Fiscal year 2016-17.

The state provides funding for undergraduate medical education through appropriations to the State University System. According to OPPAGA, Florida's expansion of medical education programs occurred without the benefit of a consistent model for determining the funding needed to support these programs. Rather, each university has established its own methodology to identify funding needs.

During the 2007 legislative session, the University of Florida and the University of South Florida questioned the level of state support provided for medical education at their institutions. The Legislature in 2007 directed OPPAGA, with the assistance of the Board of Governors, to review funding models used for public medical education programs.²⁵ OPPAGA produced two reports, *Medical Education Funding is Complex; Better Expenditure Data is Needed* (Report No 08-36, June 2008) and *Medical Education Program Funding Model Must Address Institutional Variations and Data Limitations* (Report No. 09-19). The reports addressed trends in medical school funding, funding models for medical education in other states, and medical education costs. The reports also provided a methodology for comparing current and planned funding levels among the state's public medical schools and funding levels from national studies.

¹⁹ Department of Education, Florida College System, Access to Baccalaureate Degrees (July 2010).

²⁰ Section 1007.33, F.S.

²¹ Section 1007.33(4), F.S.

²² Department of Education, Florida Colleges System, http://www.fldoe.org/cc/students/bach_degree.asp (last visited March 14, 2011).

²³ Department of Education, Florida College System, *Baccalaureate Program Trends and Accountability*, 2010-02 (April 2010).

²⁴ Section 1007.33(5), F.S.

²⁵ GAA, Specific Appropriations 167 through 170A (Ch. 2007.072, LOF).

Following those reports, the 2009 Legislature directed the Board of Governors to develop a funding methodology for a consistent base level of student support on a per-student basis for each 4 year doctor of medicine degree program offered by a state university. In January 2010, BOG released a report that identified a new method for reporting state revenues and expenditures associated with medical degrees and certain other university medical education and health-related activities.

Effect of Proposed Changes

The bill requires the Higher Education Coordinating Council (HECC), with input from the State Board of Education and the Board of Governors, to recommend improvement options and implementation plans to:

- Define the missions of public and nonpublic postsecondary education institutions;
- Establish performance outputs and outcomes designed to meet annual and long-term state goals;
- Evaluate Florida's articulation policies and practices;
- Establish a plan that aligns school district and Florida College System workforce development education programs and improve the consistency of workforce education data collection and reporting by colleges and school districts; and
- Recommend a plan for addressing baccalaureate degree authorization and production. The plan shall include:
 - An assessment of the potential need to establish comprehensive undergraduate institutions;
 - Recommendations regarding a threshold for student enrollment in upper division programs that could trigger changes in governance structure; and
 - State funding options and strategies.

The bill requires the Department of Education, in addition to the Board of Governors, to provide administrative support to the HECC. Currently, administrative support is provided only by the Board of Governors.

The bill requires the HECC to submit a report by December 31, 2011, that specifically includes recommendations for legislative consideration during the 2012 Legislative Session.

The bill requires the Department of Education to utilize student performance data in subsequent postsecondary coursework in determining appropriate Advanced Placement (AP), College-Level Examination Program (CLEP), International Baccalaureate (IB), and Advanced International Certificate of Education (AICE) examination scores for the receipt of college credit. The Department of Education is required to annually identify and publish the minimum scores, maximum credit, and course or courses for which credit is to be awarded. Currently, the Department of Education regularly solicits input from postsecondary faculty committees representing both the Florida College System and the State University System in this process. Committees are arranged so that faculty with expertise in each academic discipline area have an opportunity to review each examination and recommend the appropriate examination score and college course for which students should receive credit. The bill requires this process to take place on an annual basis and requires the utilization of student performance data to inform faculty decisions regarding equivalent credit.

The bill repeals the exemption from the state university system summer term enrollment requirement for students who have earned 9 or more credits through acceleration mechanisms.

The bill repeals section 1007.33 (6), F.S., governing the approval process for additional baccalaureate degrees at FCS institutions offering baccalaureate degree programs for 3 or more years. Currently an institution that has been authorized to offer baccalaureate degrees, received Level 2 accreditation from the Southern Association of Colleges and Schools, and has offered baccalaureate degrees for at least 3 years, can request an exemption from the State Board of Education approval process. According to DOE, the FCS institutions that would qualify for this are Chipola College, Miami Dade College, Edison State College, Northwest Florida State College, Daytona State College, Florida State College at Jacksonville, and Indian River State College. Two additional colleges, Broward College and Palm

Beach College would become eligible later in 2012. There are no colleges currently applying for the exemption.²⁶

The bill requires that 4-year doctor of medicine degree programs at state universities receive a uniform base level of state support, as determined annually in the General Appropriations Act. It requires each medical school to report annual expenditures and outcome data to the Board of Governors.

B. SECTION DIRECTORY:

Section 1. Amending s. 1004.015, F.S., requiring the Higher Education Coordinating Council with input from the State Board of Education and Board of Governors to make recommendations relating to the mission of postsecondary education, performance outputs and outcomes, articulation polices, workforce development education, and baccalaureate degree authorization; requiring the council to submit a report.

Section 2. Amending s. 1007.27, F.S., requiring the Department of Education to use student performance data to determine appropriate credit-by-examination scores and courses; deleting an exemption from summer-term enrollment in a public postsecondary education institution for students with accelerated credits.

Section 3. Amending s. 1007.33, F.S., deleting an exemption from provisions governing the approval process for baccalaureate degrees.

Section 4. Creating s. 1011.905, F.S., requiring a uniform per FTE base amount to be determined annually for 4-year doctor of medicine degree program offered by a state university; requiring certain reporting.

Section 5. Providing an effective date of July 1, 2011.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See FISCAL COMMENTS.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

²⁶ Telephone Conversation with Department of Education Staff (March 18, 2011).

D. FISCAL COMMENTS:

The State Board of Education is required to provide administrative support for the HECC along with the Board of Governors, which may result in additional costs to their administrative budget. The exact costs are indeterminate, but likely insignificant.

Recipients of a Bright Futures Scholarship would be required to pay for classes during the summer term unless funds were appropriated by the Legislature for summer enrollment.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

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

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

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

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.