

**Constitution Revision Commission  
Education Committee  
Proposal Analysis**

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

Proposal #: P 83

Relating to: EDUCATION, creates s. 8

Introducer(s): Commissioner Washington

Article/Section affected: Article IX, new section

Date: January 17, 2018

REFERENCE	ACTION
1. <u>ED</u>	<b>Pre-meeting</b>

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**I. SUMMARY:**

This proposal creates a new section 8 of article IX to specify the purposes of the State College System and provide for the governance structure.

**II. SUBSTANTIVE ANALYSIS:**

**A. PRESENT SITUATION:**

**Overview of the Florida College System**

The Florida College System (FCS) is comprised of the 28 FCS institutions.<sup>1</sup> These institutions have received numerous recognitions including:

- #1 State in the country for higher education;
- #1 producer of associate degrees and certifications among southern states;
- #4 community college system;
- 14 Florida colleges are in Aspen's top 150.<sup>2</sup>

The FCS serves 801,023 students with an average age of 25.<sup>3</sup> Three out of 5 standard high school recipients in 2012-13 enrolled in Florida higher education in 2013-14. Of

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<sup>1</sup> FCS institutions are outlined in s. 1000.21(3), F.S. For a full list of FCS institutions see <http://www.fldoe.org/schools/higher-ed/fl-college-system/colleges/>

<sup>2</sup> FCS presentation, Florida Senate Education Committee, 10-23-17, [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3977\\_2.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf), slide 4

<sup>3</sup> FCS presentation, Florida Senate Education Committee, 10-23-17, [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3977\\_2.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf), slide 3

those students, 65.7 percent enrolled in a FCS institution.<sup>4</sup> Fifty-seven percent of FCS students are between 18 and 24, 33 percent are 25 or over, and only 10 percent are under 18. Over half, 65 percent, of FCS student are enrolled full time.<sup>5</sup> Nine out of 10 FCS graduates are continuing education or employed in Florida.<sup>6</sup>

### **History of the Florida College System**

The history of the FCS highlights its local community roots. While the first college was founded in 1927 as a private two-year institution. At their inception universities were governed at the state level, colleges were distinct because they existed exclusively at the local level.<sup>7</sup> In 1939, the Florida Legislature authorized the SBE to approve the establishment of junior colleges in communities with populations over 50,000. The administration and oversight of those institutions themselves were delegated to local boards.<sup>8</sup> As a result of The Community Junior College in Florida's Future report, the Legislature adopted a master plan for Florida's community colleges that would provide 28 colleges located within a commuting distance of 30 miles for 99 percent of the state's population.<sup>9</sup>

### **Governance**

In keeping with the community based roots of the FCS, and as outlined in current law, the Florida College System's (FCS) purpose is to maximize open access for students, respond to community needs for postsecondary academic education and career degree education, and provide associate and baccalaureate degrees that will meet the state's employment needs.<sup>10</sup>

FCS institutions are governed by a local board of trustees (BOT).<sup>11</sup> These local BOT are responsible for cost-effective policy decisions appropriate to the FCS institution's mission, the implementation and maintenance of high-quality education programs within law and rules of the State Board of Education, the measurement of performance, the reporting of information, and the provision of input regarding state policy, budgeting, and education standards.<sup>12</sup>

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<sup>4</sup> FCS presentation, Florida Senate Education Committee, 10-23-17, [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3977\\_2.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf), slide 6

<sup>5</sup> FCS presentation, Florida Senate Education Committee, 10-23-17, [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3977\\_2.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf), slide 5

<sup>6</sup> FCS presentation, Florida Senate Education Committee, 10-23-17, [http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket\\_3977\\_2.pdf](http://www.flsenate.gov/PublishedContent/Committees/2016-2018/ED/MeetingRecords/MeetingPacket_3977_2.pdf), slide 7

<sup>7</sup> *Tough Choices Facing Florida's Government; Meeting the Needs of Florida: The Florida College System Past and Future*, LeRoy Collins Institute, September 2016.

[http://collinsinstitute.fsu.edu/sites/default/files/Tough%20Choices%20Higher%20Ed%20Book\\_WEB%208-16\\_0.pdf](http://collinsinstitute.fsu.edu/sites/default/files/Tough%20Choices%20Higher%20Ed%20Book_WEB%208-16_0.pdf), page 5

<sup>8</sup> *Id.*

<sup>9</sup> <http://www.myafchome.org/assets/site/the%20florida%20community%20college%20system%20history%20with%20update.pdf>, page 2 and [http://collinsinstitute.fsu.edu/sites/default/files/Tough%20Choices%20Higher%20Ed%20Book\\_WEB%208-16\\_0.pdf](http://collinsinstitute.fsu.edu/sites/default/files/Tough%20Choices%20Higher%20Ed%20Book_WEB%208-16_0.pdf), page 6

<sup>10</sup> Section 1001.60(1), F.S.

<sup>11</sup> Sections 1001.60(3), 1001.61(1), and 1004.65(1), F.S.

<sup>12</sup> Section 1001.64(1), F.S.

In 1979 the Florida Legislature established the State Community College Coordinating Board, and in 1983 replaced that board with the State Board of Community Colleges.<sup>13</sup> In 2001, the statute that established the State Board of Community Colleges was repealed and the Florida college system was placed under the jurisdiction of the Florida Board of Education.<sup>14</sup>

To ensure collaboration and articulation between K-12 and the Florida College System institution, the state board of education provides an additional layer of oversight for the system. Currently, the Constitution provides that the state board of education (SBE) “shall be a body corporate and have supervision of the system of free public education”.<sup>15</sup> As such, the state board 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.<sup>16</sup>

The SBE is responsible for all oversight of the FCS including:

- Adopting uniform associated with successful performance and progression through the baccalaureate level.<sup>17</sup>
- Addressing FCS future growth issues,<sup>18</sup> including criteria for modifying district boundary lines for FCS institutions<sup>19</sup> or establishing new centers or campuses<sup>20</sup>.
- Adopting a strategic plan that specifies goals and objectives for the state’s public schools and Florida College System institutions.<sup>21</sup>
- Providing FCS institutions with educational training and service programs designed to meet the needs of both students and communities served.<sup>22</sup>
- Adopting rules used by the FCS intuition BOTS for annual evaluations of presidents and review the BOT evaluations of their president.<sup>23</sup>
- Examining the annual administrative review of each Florida College System institution.<sup>24</sup>
- Reviewing and administering the FCS funding formula.<sup>25</sup>
- Prescribing minimum standards, definitions, and guidelines for FCS institutions that will ensure the quality of education, coordination among the Florida College System institutions and state universities, and efficient progress toward accomplishing the FCS institution mission.<sup>26</sup> Additional specifics are outlined in law.<sup>27</sup>

<sup>13</sup> The Florida College System Fact Book, 2016 <http://www.fldoe.org/core/fileparse.php/15267/urlt/FactBook2016.pdf>

<sup>14</sup> Ch. 2000-321, L.O.F. <http://laws.flrules.org/2000/321>

<sup>15</sup> Article IX, Section 2 Fl. Const.

<sup>16</sup> Section 1001.02(1), F.S.

<sup>17</sup> Section 1001.02(2)(d), F.S.

<sup>18</sup> Section 1001.02(2)(u), F.S.

<sup>19</sup> Section 1001.02(4)(d), F.S.

<sup>20</sup> Section 1001.02(4)(e), F.S.

<sup>21</sup> Section 1001.02(3)(a), F.S.

<sup>22</sup> Section 1001.02(4)(a), F.S.

<sup>23</sup> Section 1001.02(4)(b), F.S.

<sup>24</sup> Section 1001.02(4)(f), F.S.

<sup>25</sup> Section 1001.02(5), F.S.

<sup>26</sup> Section 1001.02(6)

<sup>27</sup> Section 1001.02(6)(a)-(i), F.S.

- Providing cyclic review of all academic programs in FCS institutions<sup>28</sup> and reviewing and approving proposals by FCS intuitions to offer baccalaureate degree programs.<sup>29</sup>
- Identifying performance metrics for the FCS and developing a plan that specifies goals and objectives for each FCS institution.<sup>30</sup>

## **B. EFFECT OF PROPOSED CHANGES:**

This proposal creates a new section in the Florida Constitution outlining the specific purpose and governance structure for the Florida College System.

This proposal revises the purpose of the Florida College system to focus on the responsibility of Florida colleges to provide an affordable, primary access point for undergraduate education, as well as, to respond quickly and effectively to meet Florida's workforce demand by aligning certificates and degree programs with regional workforce needs.

The proposal codifies in the Florida Constitution that there is to be a single college system comprised of all public community and state colleges. Institutions shall be administered by a local board of trustees comprised of members residing in the service delivery area of the college. The SBE shall operate, regulate, control and be fully responsible for the management of the whole college system. They shall be responsible for:

- Affirming the distinctive mission of each constituent college;
- Ensuring the well-planned coordination and operation of the system,
- Reinforcing the articulation and pathways with public schools and the state university system; and
- Ensuring that academic programs align to community workforce needs.

The SBE's management of the college system will be subject to the powers of the legislature to appropriate for the expenditure of funds, and they shall account for such expenditures as provided by law.

## **C. FISCAL IMPACT:**

None. This proposal codifies current practice into the Florida Constitution and will require no additional state resources.

## **III. Additional Information:**

### **A. Statement of Changes:**

(Summarizing differences between the current version and the prior version of the proposal.)

None.

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<sup>28</sup> Section 1001.03(13), F.S.

<sup>29</sup> Section 1001.03(15), F.S.

<sup>30</sup> Section 1001.03(16), F.S.

**B.** Amendments:

None.

**C.** Technical Deficiencies:

None.

**D.** Related Issues:

None.