



**Office of Inspector General**  
**Baccalaureate Degree Approval Process administered by the Division of**  
**Florida Colleges**

**Report #A-1819-030**

**January 2019**

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**Executive Summary**

In accordance with the Department of Education’s fiscal year (FY) 2018-2019 audit plan, the Office of Inspector General (OIG) conducted an audit of the Baccalaureate Degree Approval Process administered by the Division of Florida Colleges (DFC) in the Florida College System (FCS). The purpose of this audit was to determine whether the DFC has sufficient internal controls in place and is effectively conducting the baccalaureate degree approval process in accordance with applicable laws, rules, and regulations.

During this audit, we noted that DFC is generally meeting the statutory requirements for reviewing and making recommendations on degree proposals to the State Board of Education. We also determined DFC is ensuring the received proposals follow statutory guidelines for required elements. However, there were instances where improvements could be made to strengthen some of these controls. For example, we cited instances where DFC did not adhere to statutory timelines for forwarding Notices of Intent for baccalaureate degree programs. The Audit Results section below provides details of the instances noted during our audit.

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**Scope, Objectives, and Methodology**

The scope of this audit included an examination of baccalaureate degrees proposed by FCS institutions during the 2016-2017 and 2017-2018 fiscal years. We established the following objective for our audit:

1. Determine if DFC has sufficient internal controls in place and is effectively conducting the baccalaureate degree approval process in accordance with applicable laws, rules, and regulations.

To accomplish our objective, we reviewed applicable laws, rules, and regulations; interviewed appropriate department staff; reviewed policies, procedures, and related documentation; and evaluated a sample of degree proposals from the two most recent fiscal years.

## Background

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The Florida Legislature passed legislation in 2001 that outlines a process by which community colleges may seek approval from the State Board of Education to grant baccalaureate degrees in limited, high demand areas. The approval process is outlined in section 1007.33, Florida Statutes (F.S.). Rule 6A-14.095, Florida Administrative Code (F.A.C.), further defines the FCS baccalaureate program approval process outlined in s. 1007.33, F.S. The Florida Department of Education, Division of Florida Colleges (DFC), has administrative and oversight responsibilities of the Florida College System (FCS) institutions' proposals for offering new baccalaureate degrees.

Per s. 1007.33, F.S., the FCS institutions must submit a Notice of Intent (NOI) to offer a baccalaureate degree program to DFC at least 100 days before the submission of its proposal. DFC has ten days to forward the NOI to the Chancellor of the State University System, the President of the Independent Colleges and Universities in Florida (ICUF), and the Executive Director of the Commission for Independent Education (CIE). State Universities are given 60 days to submit objections to the proposed new program or submit an alternative proposal. If a proposal is not received within the 60-day period, the State Board of Education (SBOE) provides regionally accredited private colleges and universities 30 days to submit objections to the proposed program or submit an alternative proposal. Upon receipt of the proposal submitted by an FCS institution, DFC has 30 days to review the provided materials, notify the institution of any deficiencies, and provide the institution the opportunity to correct the deficiencies. Within 45 days following the receipt of the completed proposal, the Commissioner of Education recommends approval or disapproval to the State Board of Education.

As part of their proposals, the FCS institutions must demonstrate their basis of economic need for the degree proposal based on current and projected labor market data for their regions using Department of Economic Opportunity (DEO) data. This data is part of a federal tracking program known as CIP, or Classification of Instructional Programs, developed by the U.S. Department of Education's National Center for Education Statistics. CIP codes provide regional labor data that assist FCS institutions in determining whether a degree program should be offered in the institution's region and identify degree program gaps. Baccalaureate degree proposals must demonstrate that they meet the economic needs of their particular regions.

During FY 2016-2017 and FY 2017-2018, DFC reviewed fourteen baccalaureate degree proposals. Of the 14 proposals, the State Board of Education approved nine, two proposals were being revised by the institution, one proposal remains under review, one was in the pre-proposal (notice of intent) stage, and one proposal was not recommended by the Division.

## Audit Results

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### Finding 1: The Division did not adhere to statutory timelines for forwarding Notices of Intent for all baccalaureate degree proposals.

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Per Section 1007.33 (5) of the Florida Statutes, “The approval process for baccalaureate degree programs shall require:

(a) Each Florida College System institution to submit notice of its intent to propose a baccalaureate degree program to the Division of Florida Colleges at least 100 days before the submission of its proposal under paragraph (d). The notice must include a brief description of the program, the workforce demand and unmet need for graduates of the program to include evidence from entities independent of the institution, the geographic region to be served, and an estimated timeframe for implementation. Notices of intent may be submitted by a Florida College System institution at any time throughout the year. The notice must also include evidence that the Florida College System institution engaged in need, demand, and impact discussions with the state university and other regionally accredited postsecondary education providers in its service district.

(b) The Division of Florida Colleges to forward the notice of intent within 10 business days after receiving such notice to the Chancellor of the State University System, the President of the Independent Colleges and Universities of Florida, and the Executive Director of the Commission for Independent Education.”

We analyzed the Division’s tracking of 14 baccalaureate degree proposals during Fiscal Years (FY) 2016-2017 and 2017-2018. The Division utilizes a tracking sheet to denote progress of the degree proposals.

Based on DFC’s tracking spreadsheet, we determined DFC did not notify the Chancellor of the State University System (CSUS), the President of the Independent Colleges and Universities of Florida (ICUF), and the Executive Director of the Commission for Independent Education (CIE) of three of the 14 (21%) notices of intent (NOI) within the required ten business days of receipt. The DFC submitted one notification for Florida Southwestern State College 14 business days after receipt, submitted one notification for Santa Fe College 116 business days after receipt, and chose not to submit one notification for Florida Gateway College as the proposal is being revised by the institution.

We analyzed in detail four of the 14 degree proposals submitted during FY 2016-2017 and 2017-2018 to determine if the NOIs and proposals adhered to the requirements in Florida Statutes. Our sample included two of the three FCS institutions above (Santa Fe College and Florida Gateway College) for which DFC did not notify the required parties within ten business days of NOI receipt, as well as two additional institutions. All four of the proposals included the required elements per the Florida Statutes; however, as noted above, FCS did not always notify the required parties of the submitted NOIs within ten business days of receipt.

Santa Fe College submitted an NOI on February 16, 2016, for a Bachelor’s degree in Accounting. We determined DFC reviewed the NOI and provided feedback to the institution. The communication between DFC and the institution was not reflected on the spreadsheet nor was the subsequent NOI submittal date. Santa Fe College submitted a revised NOI on July 26,

2016, and DFC notified the CSUS, CIE, and ICUF on July 27, 2016. Based on the tracking spreadsheet and email documentation, we determined FCS notified the CSUS, CIE, and ICUF 116 business days after the original NOI submittal and one day after the revised NOI submittal. We also noted that the college representative did not realize that the process for the new application would be delayed based on the NOI inquiries.

Florida Gateway College submitted an NOI on June 6, 2017, for a Bachelor's degree in Supervision and Management. DFC reviewed the NOI and provided feedback to the institution but did not send the notice to the CSUS, CIE, and ICUF. The tracking sheet indicates that the FCS institution is revising its proposal.

In addition, we noted one case where the tracking spreadsheet incorrectly identified an NOI as being submitted to the CSUS, CIE, and ICUF timely. Per the tracking spreadsheet, Valencia College submitted an NOI on January 31, 2017, for a Bachelor's degree in Nursing. On the same day, the Division notified the CSUS, CIE, and ICUF. However, email documentation revealed Valencia College submitted a cover letter and an NOI for the Nursing degree proposal on December 8, 2016. Per DFC staff, the Division returned the NOI to the college with feedback on December 9, 2016, and again on January 10, 2017. Valencia College submitted the final revised NOI on January 12, 2017. Based on the tracking spreadsheet and email documentation, we determined FCS notified the CSUS, CIE, and ICUF 39 business days after the original NOI submittal and 13 business days after the revised NOI submittal.

While two of the three NOIs contained the elements required by statutes, DFC determined the elements were not supported by the submitted data. DFC documented their review of the two NOIs and determined the initial information contained was not sufficient for future approval of the proposal. The remaining NOI appeared to contain the required elements; however, DFC requested an additional explanation regarding the reason the program was not designated as a \$10k degree program. The tracking spreadsheet did not contain the dates of communication with the FCS institutions requesting revision of the NOIs nor the date the institutions submitted the revised NOI. We further noted, the dates in the tracking spreadsheet did not always reflect the actual dates of submission supported by email. Without accurate tracking of dates, it would be difficult for FCS staff to ensure the baccalaureate process meets the timelines mandated by the Florida Statutes.

The current NOI feedback process could leave the division open to disputes from educational entities and affected parties citing a lack of adherence to the statutory timelines required for baccalaureate degree proposal submissions. Further, by not notifying the CSUS, CIE, and ICUF of all received NOIs within 10 business days, DFC could be perceived as giving preferential treatment to certain colleges or proposals. The Division should better track baccalaureate degree proposals through its approval process to give credence that all proposals are treated fairly and in adherence to rule and statute.

### ***Recommendation***

We recommend DFC forward the notice of intent to the Chancellor of the State University System, the President of the Independent Colleges and Universities of Florida, and the Executive Director of the Commission for Independent Education within ten business days of receipt. In the event the NOI is deemed not sufficient for future approval of the proposal, we recommend DFC request that the FCS institution withdraw the NOI and resubmit a revised NOI at a later date. The Division might also consider making provisions for institutions submitting degree proposals to receive consultation or feedback prior to submitting an NOI. We additionally recommend the division alter its tracking system to include the dates NOIs are returned to the FCS institutions and the revised NOI submission date.

### ***DFC Management Response***

Concur. DFC agrees with the findings regarding timelines for forwarding NOIs.

#### Process for Handling NOIs

Moving forward, DFC will review NOIs to determine whether or not institutions have completed all required components.

- For institutions that have not completed the required components, DFC will request a complete NOI and indicate, in writing, the requirements that were not met in the original submission. Upon receipt of the re-submitted complete NOI, DFC will forward to universities within 10 business days.
- For institutions that have completed the required components and the proposal is sufficient, DFC will forward to universities within 10 business days.
- For institutions that have completed the required components, but the proposal is not sufficient, DFC will confer with the institution to request the NOI be withdrawn to allow time for DFC to provide feedback.
  - If the college withdraws the NOI, the 10 day window will re-start upon receipt of the re-submitted NOI.
  - If the college elects to move forward without DFC feedback, DFC will forward within 10 business days.

Given the findings of the audit, DFC will contact colleges that submitted complete NOIs that were deemed insufficient to allow the institutions to formally withdraw the proposal and/or proceed with notification to universities. Given the expiration of NOIs, DFC will only look at proposals submitted in the last two years.

- Florida Keys Community College's BAS in Marine Resource Management NOI was submitted on December 2, 2018. DFC requested feedback and the re-submitted NOI arrived on January 10, 2019. DFC forwarded the NOI to universities within 10 business days on January 18, 2019.
- Florida Gateway College's BAS in supervision and management NOI was submitted on June 6, 2017. DFC requested feedback and has yet to receive a re-submitted NOI. DFC will contact the college to determine if they wish to withdraw the NOI or proceed with forwarding to universities.

### Offering Consultation/Feedback

DFC meets with FCS baccalaureate liaisons three times a year—typically in February, June and October. These meetings allow opportunities for DFC to share information with colleges regarding the baccalaureate approval process. At the February 20, 2019, meeting, DFC will ensure the baccalaureate liaisons are aware that DFC is available to provide feedback and consultations prior to the NOI being submitted. Additionally, DFC will reach out to colleges when new programs are submitted in APPRiSE to offer consultation and feedback prior to NOI submission.

### Revised Tracking Sheet

DFC will revise its tracking sheet as well as its business processes to ensure baccalaureate submissions are accurately recorded and documented as well as processed in a timely manner to meet the statutory and rule requirements.

### Closing Comments

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The Office of the Inspector General would like to recognize and acknowledge the Division of Florida Colleges and staff for their assistance during the course of this audit. Our fieldwork was facilitated by the cooperation and assistance extended by all personnel involved.

*To promote accountability, integrity, and efficiency in state government, the OIG completes audits and reviews of agency programs, activities, and functions. Our audit was conducted under the authority of section 20.055, F.S., and in accordance with the International Standards for the Professional Practice of Internal Auditing, published by the Institute of Internal Auditors, and Principles and Standards for Offices of Inspector General, published by the Association of Inspectors General. The audit was conducted by James Russell and supervised by Tiffany Hurst, CIA, and Audit Director.*

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