

**STORAGE NAME:** h0667.ed

**DATE:** April 6, 1999

**HOUSE OF REPRESENTATIVES  
AS REVISED BY THE COMMITTEE ON  
EDUCATION APPROPRIATIONS  
ANALYSIS**

**BILL #:** House Bill 667

**RELATING TO:** Remedial Education

**SPONSOR(S):** Representative Greene

**COMPANION BILL(S):**

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

- (1) COMMUNITY COLLEGES AND CAREER PREP YEAS 10 NAYS 0
  - (2) EDUCATION APPROPRIATIONS
  - (3)
  - (4)
  - (5)
- 

**I. SUMMARY:**

This bill provides state funding for students who must enroll in the same college-preparatory course for a second time. Currently, students who are unsuccessful in their first attempt at a remedial course are required to pay 100% of the full cost of instruction on their second attempt. This bill allows students two opportunities to complete the requirements for the same remedial course before requiring that they pay 100% of the full cost of instruction. The change is consistent with the state funding policy for college-credit courses.

This bill also authorizes the Legislature to provide performance incentive funds for the effective implementation of remedial reduction plans that are developed and implemented according to the requirements of s. 240.1161, F.S.

The state could realize an indeterminate fiscal cost due to the increase in state funding needed to support students who must repeat a remedial education course for the first time. However, since the bill allows for the Legislature to provide performance incentive funds for effective remedial reduction plans, the need for and cost of state funded remediation may decrease in the future.

II. SUBSTANTIVE ANALYSIS:

A. PRESENT SITUATION:

Prior to 1998, s.240.117, F.S. provided postsecondary remedial students with two chances to satisfy the requirements for a remedial course before having to pay 100 percent of the full cost of instruction. HB 1545 revised this section to require students who repeat a postsecondary remedial course to pay 100 percent of the full cost of instruction for continuous enrollment in the same class. This means that current students are funded for a postsecondary remedial course only once. Students enrolled in college-credit courses may receive state funding for continuous enrollment, but students are required to pay 100 percent of the full cost of instruction if they enroll in the same course more than twice. Exceptions are made for those students who can demonstrate financial hardship.

Over the past three years, the Legislature has made an effort to create policies that will result in reducing the need for postsecondary remediation. Beginning with the House joint interim project entitled "An Analysis of Postsecondary Student Preparedness and Remedial Education Needs," several areas were identified in which statutory changes could be made. Broadly, these changes were intended to increase academic and achievement standards, increase accountability, and create incentives and disincentives for schools and students. Specifically, HB 1545 (Ch. 97-246) established a requirement that mechanisms and strategies for reducing the incidence of postsecondary remediation be included within the district interinstitutional articulation agreement.

B. EFFECT OF PROPOSED CHANGES:

This bill would allow students to repeat a postsecondary remedial course one time and still receive state funding. Students who must enroll in the same remedial course more than twice would not be eligible to receive state funding for continuous enrollment and be required to pay 100 percent of the full cost of instruction. This change would make the policy for students enrolled in remedial courses consistent with the policy for students enrolled in college credit courses.

The bill would also allow the Legislature to provide performance incentive funds for the effective implementation of remedial reduction plans (required by s.240.1161, F.S.). This change would provide an additional incentive for school districts and community colleges to work together to decrease the incidence of postsecondary remediation, thereby reducing the cost of remediation for the state.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

No.

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

No.

(3) any entitlement to a government service or benefit?

No.

- b. If an agency or program is eliminated or reduced:

An agency or program is not eliminated or reduced.

- (1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

- (2) what is the cost of such responsibility at the new level/agency?

N/A

- (3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

- a. Does the bill increase anyone's taxes?

The bill would require the expenditure of state monies to fund continuous enrollment in remedial courses as well as the provision of performance incentive funds by the state.

- b. Does the bill require or authorize an increase in any fees?

The bill will reduce fees for students who are making a second attempt at a remedial course, but will still require an increase in fees for students who must enroll in the same remedial course more than twice.

- c. Does the bill reduce total taxes, both rates and revenues?

No.

- d. Does the bill reduce total fees, both rates and revenues?

The bill will reduce the fee required for a student who must repeat a college-preparatory course from 100% of the full cost of instruction to approximately 25% of the cost.

- e. Does the bill authorize any fee or tax increase by any local government?

No.

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

No. The state would provide state funding for students who must repeat a postsecondary remedial course. However, students would be required to pay 100 percent of the full cost of instruction if they enroll in the same postsecondary remedial course more than twice.

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

No.

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

No.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

No.

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

This bill does not purport to provide services to families or children.

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

- (3) Are private alternatives permitted?

N/A

- (4) Are families required to participate in a program?

N/A

- (5) Are families penalized for not participating in a program?

N/A

- b. Does the bill directly affect the legal rights and obligations between family members?

No.

- c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

This bill does not create or change a program providing services to families.

- (1) parents and guardians?

N/A

- (2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

Sections 239.301, F.S., 1998 Suppl.; 240.1161, F.S.; 240.117, F.S.

E. SECTION-BY-SECTION ANALYSIS:

Section 1. Revises funding for college-preparatory classes.

Section 2. Allows for performance incentive funds to be tied to remedial reduction plans.

Section 3. Revises funding for college-preparatory classes.

Section 4. Provides that the act will take effect on July 1, 1999.

III. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

None.

2. Recurring Effects:

The state could realize an indeterminate fiscal cost due to the increase in state funding needed to support students who must repeat a remedial education course for the first time.

3. Long Run Effects Other Than Normal Growth:

Since the bill allows for the Legislature to provide performance incentive funds for effective remedial reduction plans, the need for and cost of state funded remediation may decrease in the future.

4. Total Revenues and Expenditures:

Indeterminate at this time.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

None.

2. Recurring Effects:

None.

3. Long Run Effects Other Than Normal Growth:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

None.

2. Direct Private Sector Benefits:

Students will be given an opportunity to retake a postsecondary remedial course (one time) without being financially penalized.

3. Effects on Competition, Private Enterprise and Employment Markets:

None.

D. FISCAL COMMENTS:

None.

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 spend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

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

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:

None.

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

Amendment #1 changes the effective date of the bill from July 1, 1999 to "upon becoming law" and specifies that the law will apply to students enrolled in remedial courses beginning in the fall term of 1999.

Amendment #2 includes a provision for improving teacher preparation and effectiveness. It specifies that each district interinstitutional articulation agreement must include mechanisms and strategies for the improvement of teaching in elementary and secondary schools. It also requires that community colleges and school districts cooperatively develop professional development programs and encourages the development of plans which utilize new technologies, address critical needs, and include preservice and inservice initiatives.

**STORAGE NAME:** h0667.ed

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**PAGE 7**

VII. SIGNATURES:

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