HOUSE OF REPRESENTATIVES COMMITTEE ON COMMITTEE ON COLLEGES & UNIVERSITIES ANALYSIS

BILL #: CS/HB 69

RELATING TO: Student Financial Assistance

SPONSOR(S): Committee on Colleges & Universities, Representative Fiorentino and Others

TIED BILL(S): None

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

- (1) COMMITTEE ON COLLEGES & UNIVERSITIES YEAS 10 NAYS 0
- (2) EDUCATION APPROPRIATIONS
- (3) FISCAL POLICY & RESOURCES
- (4) COUNCIL FOR LIFELONG LEARNING
- (5)

I. <u>SUMMARY</u>:

THIS DOCUMENT IS NOT INTENDED TO BE USED FOR THE PURPOSE OF CONSTRUING STATUTES, OR TO BE CONSTRUED AS AFFECTING, DEFINING, LIMITING, CONTROLLING, SPECIFYING, CLARIFYING, OR MODIFYING ANY LEGISLATION OR STATUTE.

CS/HB 69 creates the Jumping on the Educational Bandwagon (JEB) Scholarship Loan Program which will be administered by the Department of Education (DOE). The purpose of the program is to attract capable and promising students to the teaching profession by providing scholarship loans for students who have exhibited academic achievement, a history of service to school and community, and a desire to teach the children of Florida.

CS/HB 69 provides for minimum eligibility requirements. A student must submit an application by a deadline to be established by the DOE; include with the application at least three sealed letters of recommendation and an essay; meet the initial eligibility requirements for a Florida Merit Scholars award; enroll in a public postsecondary education institution or an eligible independent postsecondary education institution; complete a minimum of 100 hours of community service work; declare the intent to complete one year of teaching service in a publicly funded school or an eligible nonpublic school for every year for which a scholarship loan is received; and declare the intent to begin the required teaching service within one year after receipt of a baccalaureate degree. Applicants will be selected to receive the JEB scholarship loan by a selection committee established by the Commissioner on Education and chaired by the Teacher of the Year.

CS/HB 69 provides that to the extent that funds are provided annually by the Legislature in the General Appropriations Act, the program must provide annual scholarship loans of \$4,000 for up to four years to selected students who enroll in an undergraduate program of study that will enable the students to meet the teacher certification requirements. CS/HB 69 requires the DOE to establish application and selection procedures to determine up to 50 initial scholarship loan recipients each year. Assuming DOE could be ready to award its first JEB Scholarship Loan recipients beginning in FY 03-04, the estimated costs for awards in the first year is \$200,000 and \$800,000 by the fourth year.

CS/HB 69 has an effective date of July 1, 2002.

SUBSTANTIVE ANALYSIS:

A. DOES THE BILL SUPPORT THE FOLLOWING PRINCIPLES:

1.	Less Government	Yes []	No [x]	N/A []
2.	Lower Taxes	Yes []	No []	N/A [x]
3.	Individual Freedom	Yes [x]	No []	N/A []
4.	Personal Responsibility	Yes [x]	No []	N/A []
5.	Family Empowerment	Yes []	No []	N/A [x]

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

The bill creates a scholarship loan program that will require more administrative work of the Department of Education.

B. PRESENT SITUATION:

Demand For Teachers in Florida

Based on data available in mid-2000, the Office of Economic and Demographic Research forecasted the demand and supply of teachers in Florida through the year 2010. It is estimated that Florida school districts will need to hire approximately 162,000 teachers between 2000-2001 and 2009-2010. Seventy-two percent of the new teachers will replace teachers who will leave teaching prior to retirement for reasons such as pregnancy or career changes. An additional 21 percent of the new teachers will replace retiring teachers and the remaining seven percent will be hired to cope with projected student enrollment growth over this period. Among the 162,000 new teachers who will be needed during the next decade, approximately 39,000 of the demand will be for exceptional and special education teachers. Almost 20,000 teachers will be needed for math, science, foreign language, and computer science. The Department of Education projects Florida will need an average of 12,831 teachers per year over the next five years, or 64,155 by 2006-2007.

Supply of Teachers in Florida

According to the DOE, the pool of possible Florida teachers includes recent graduates of teacher education programs, both in-state and out-of-state; recent graduates of other programs who plan to enter teaching either by satisfying the course requirements after graduation or via the alternative certification route; certified or certifiable college graduates who are not currently teaching, including those actively seeking positions and those who are at home, have returned to school, or are employed in other fields; teachers in other states or in the private sector who are willing to relocate or transfer; former teachers who have left the profession for one reason or another and might be induced to return; and mature adults without teaching credentials--including returning women and early retirees--who might respond to the challenge of returning to school to prepare for a career change.

The Office of Economic and Demographic Research projects that Florida will supply approximately 60 percent of the teachers it will need through graduates of in-state colleges and universities (public and private). During most of the 1990s, for example, in-state colleges and universities (public and private) supplied approximately 64 percent of Florida's new teachers with the remainder coming from other states and nations. Florida will need to find another 2,000 to 3,000 teachers annually to meet projected demand.

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The Department of Education reports 5,499 students graduated from the 30 approved teacher education preparation programs in 1999-2000. There are currently 29 approved teacher education preparation programs

Existing Financial Assistance Programs to Encourage Teaching in Florida

Current law provides four financial assistance programs designed to increase production of teachers. These include the "Chappie" James Most Promising Teacher Scholarship (s. 240.4063(2), F.S.); the Florida Critical Teacher Shortage Forgivable Loan Program (s. 240.4063(3), F.S.); the Critical Teacher Shortage Tuition Reimbursement Program (s. 240.4064, F.S.); and the Minority Teacher Education Scholars Program (s. 240.4128, F.S.).

Section 240.4063(1), F.S., creates the Florida Teacher Scholarship and Forgivable Loan Program. The program consists of two major components: the "Chappie" James Most Promising Teacher Scholarship (s. 240.4063(2), F.S.) and the Florida Critical Teacher Shortage Forgivable Loan Program (s. 240.4063(3), F.S.). The primary purpose of the program is to attract capable and promising students into the teaching profession, particularly to areas currently or projected to be critical teacher shortage areas. The State Board of Education has adopted rules, and the Department of Education annually identifies critical teacher shortage areas and administers the program.

"Chappie" James Most Promising Teacher Scholarship

The "Chappie" James Most Promising Teacher Scholarship is awarded to a top graduating senior from each public secondary school in the state and additional awards are offered annually to graduating seniors from nonpublic secondary schools that are listed with the DOE, meet accreditation standards, and comply with regulations of the Office of Civil Rights. The number of awards given to nonpublic students is proportional to the number of awards available to public secondary students.

The amount of the scholarship is statutorily set at \$1,500 and may be renewed for one year if the student earns a 2.5 cumulative grade point average (GPA), 12 credit hours per term, and meets eligibility requirements for renewal of the award. A student may use the scholarship award at a state university, a community college, or an independent institution as defined in s. 240.605, F.S.

The eligibility requirements for the "Chappie" James Most Promising Teacher Scholarship are as follows:

- Meet the general eligibility requirements in s. 240.404, F.S.
- Be nominated by the student's Florida high school principal.
- Hold a 3.0 unweighted high school cumulative GPA.
- Rank in the top 25 percent of the student's high school graduating class.
- Have an SAT or ACT score (no minimum required).
- Provide written intent in the application to teach in Florida.
- Be an active member of a high school future teacher association if one exists in the student's school.
- Plan to enroll in a degree program at an approved postsecondary institution.

According to the Department of Education no statistics are available on how many students receiving the scholarship eventually complete a degree and teach in Florida.

Florida Critical Teacher Shortage Forgivable Loan Program

The Florida Critical Teacher Shortage Forgivable Loan Program makes available forgivable loans to eligible undergraduate and graduate students entering programs of study that lead to a degree in a teaching program in a critical teacher shortage area. Undergraduate loans are for a maximum of

\$4,000 per year for two years, except when a program requires three years of instruction to obtain initial certification. For graduate students, the maximum loan amount is \$8,000 per year for a maximum of two years.

In order to be eligible a student must:

- Meet the general eligibility requirements in s. 240.404, F.S.
- Be enrolled in a state approved teacher preparation program leading to certification in a critical teacher shortage area.
- Provide written intent in the application to teach in a publicly funded school in Florida in a critical shortage area.
- Have scored in the top 40 percent on the SAT or ACT (undergraduate only).
- Not previously earned a bachelor's degree (undergraduate only).
- Have earned a cumulative undergraduate GPA of 2.5 (undergraduate only).
- Hold a bachelor's degree from an accredited institution (graduate only).
- Have a cumulative undergraduate GPA of 3.0 or a 1000 on the Graduate Records Exam (GRE) (graduate only).
- Not hold a bachelor's degree in a critical teacher shortage area (graduate only).

Section 240.4063(3)(e), F.S., provides that the State Board of Education adopt by rule repayment schedules and applicable interest rates. A loan must be repaid within ten years of completion of the program of studies. Any funds paid will be deposited into the State Student Financial Assistance Trust Fund.

The following subject fields were recommended to the State Board of Education for adoption as the critical teaching areas for 2001-2002:

- middle and high school level mathematics;
- middle and high school level science;
- exceptional student education programs (ESE) serving students with disabilities including emotionally handicapped (EH), mentally handicapped (MH), physically handicapped, speech and language impaired (speech), hearing impaired, visually impaired, specific learning disabled (SLD), and varying exceptionalities (VE);
- English for speakers of other languages (ESOL);
- foreign languages;
- technology education; and,
- for the Tuition Reimbursement Program, endorsement areas in profoundly handicapped, orientation/mobility, prekindergarten handicapped, and gifted.

DOE reports an estimated 2,815 graduates from state-approved Florida teacher education programs in the above critical areas in 2001-2002. DOE projects that there will be 6,343 vacancies in those critical areas for the year 2003-2004.

Critical Teacher Shortage Tuition Reimbursement Program

The Critical Teacher Shortage Tuition Reimbursement Program provides tuition reimbursement payments for certain courses to any full-time employee of a public school or a developmental research school who is certified to teach. Participants are limited to nine semester hours, or the equivalent, per year for a total maximum of 36 semester hours. Participants are reimbursed at a maximum rate of \$78 per semester hour. The participant must pass a course with a minimum grade of 3.0 to qualify for a reimbursement. Tuition reimbursement is limited to courses in critical teacher shortage areas as defined by the State Board of Education. Additionally, courses must be: graduate-level courses leading to a master's, specialist, or doctoral degree; graduate-level courses leading to an advanced degree or a new certification area.

Minority Teacher Education Scholars Program

The Minority Teacher Education Scholars Program is a performance-based scholarship program for African-American, Hispanic-American, Asian-American, and Native American students. The program provides an annual scholarship of \$4,000 for each approved minority teacher education scholar who is enrolled in one of Florida's public or private universities in the junior year and is admitted into a teacher education program. The Florida Fund for Minority Teachers, Inc. provides systemwide training to help participating institutions in the recruitment and retention of Minority Teacher Scholars. The training must also include a conference or a series of conferences for high school and community college students identified as Minority Teacher Scholars candidates.

To determine the number of awards available, the amount appropriated for the program is divided by the \$4,000 award amount and then by the number of participating institutions. Each institution is entitled to the same number of awards. If an institution does not award all of its scholarships by a set date, the remaining scholarships may be transferred to another institution with eligible students.

A recipient may receive the award for three consecutive years if the student remains enrolled fulltime and is making satisfactory progress towards a baccalaureate degree with a major in education. If the scholar graduates and teaches in a Florida public school, the scholar is not required to monetarily repay the scholarship. The scholarship is repaid on the basis of one year of teaching in a Florida public school for every year the scholarship is received. If, however, the scholar does not graduate or fails to teach in a Florida public school, the scholar must repay the scholarship plus eight percent annual interest. Repayment begins the 13th month after the scholar either graduates from an approved teacher education program or the 13th month after full-time enrollment is terminated. Repayment must be completed within ten years and according to the terms and conditions set forth in a promissory note and repayment schedule. Deferments are available for students under three conditions - the student: is unable to obtain teaching employment in a Florida public school; becomes disabled; or experiences other hardships. Deferments are limited to 24 months. If a student defaults, the recipient is responsible for paying all reasonable attorneys fees and costs incurred in the collection process.

Since 1996, the program has served 1,922 scholars. In 2000-2001, 711 students received minority teacher education scholars program awards. The program reports that about 11 new slots are estimated for each participating institution per year, but the true number of new slots is ultimately dependent on the appropriation provided and the number of eligible scholars requiring a subsequent year award. For administrative purposes the program is housed at the University of Florida.

Florida Merit Scholars Award Initial Eligibility Requirements

Section 240.40202, F.S. sets forth the general initial eligibility requirements for *all* Bright Futures Scholars. A student must meet the following general criteria to be considered for an award under the Bright Futures Scholarship Program:

- apply for a scholarship from the program by April 1 of the last semester before high school graduation; and
- be a Florida resident; and
- earn a standard Florida high school diploma, or the equivalent; or earn a non-Florida high school diploma while living with a parent or guardian who is on military or public service assignment away from Florida; or be enrolled in the early admission program of an eligible postsecondary institution or complete a home education program; and
- enroll in an eligible Florida public or independent postsecondary education institution for at least 6 credit hours per semester; and

- not have been found guilty of, or pled nolo contendere to, a felony charge; and
- commence using the award within three years of graduation

Section 240.40206(1), F.S., sets forth the eligibility criteria for a student to receive a Florida Merit Scholars award. To be considered for a Florida Merit Scholars award, in addition to meeting the general eligibility criteria for a Bright Futures Award a student must:

- have achieved a 3.0 weighted GPA using the 15 core credits required for admission to a state university; and
- have scored a 970 SAT or 20 ACT (best composite score); or
- have attended a home education program during grades 11 and 12 and scored a 1070 SAT or 23 ACT; or
- have completed the IB curriculum and scored a 970 SAT or 20 ACT.

Florida Merit Scholars Award Renewal Requirements

Section 240.40203, F.S., provides that to be eligible to renew a scholarship from *any* of the three types of scholarships under the Florida Bright Futures Scholarship Program, a student must:

- complete at least 12 semester credit hours or the equivalent in the last academic year in which the student earned a scholarship; and
- maintain the cumulative grade point average required by the scholarship program.

Additionally, if, at any time during the eligibility period, a student's grades are insufficient to renew the scholarship, the student may restore eligibility by improving the GPA to the required level. A student is eligible for such a reinstatement only once.

Section 240.40206, F.S., provides that to specifically renew a Florida Merit Scholars award, a student must maintain the equivalent of a GPA of 2.75 on a 4.0 scale for all postsecondary education work attempted, with an opportunity for reinstatement one time as provided in this act.

C. EFFECT OF PROPOSED CHANGES:

CS/HB 69 creates the Jumping on the Educational Bandwagon Scholarship Loan Program which will be administered by the Department of Education. The purpose of the program is to attract capable and promising students to the teaching profession by providing scholarship loans for students who have exhibited academic achievement, a history of service to school and community, and a desire to teach the children of Florida.

CS/HB 69 provides that to the extent that funds are provided annually by the Legislature in the General Appropriations Act, the program must provide annual scholarship loans of \$4,000 for up to four years to selected students who enroll in an undergraduate program of study that will enable the students to meet the teacher certification requirements of s. 231.17, F.S., and who agree to teach in Florida one year for every year a scholarship loan is received.

Applicants will be selected to receive the JEB scholarship loan by a selection committee established by the Commissioner on Education and chaired by the Teacher of the Year. The selection committee must include "representatives from various sectors of the education community." It is unclear "who" constitutes the "education community" for the purposes of selection committee. If the Teacher of the Year is unavailable to chair the committee, the Commissioner may appoint an alternate chair.

CS/HB 69 requires the Department of Education to administer the JEB Scholarship Loan Program. DOE must establish application and selection procedures to determine up to 50 initial scholarship

loan recipients each year. The application and selection criteria must be developed and distributed annually by DOE to all school districts and be made available on DOE's website.

CS/HB 69 provides that the application and selection procedures must, at a minimum, require the student to:

- Submit the application for the scholarship loan by a deadline to be established by DOE;
- Include with the application at least three sealed letters of recommendation and an essay by the applicant describing why he or she wants to teach;
- Meet the initial eligibility requirements for a Florida Merit Scholars award pursuant to ss. 240.40202 and 240.40206, F.S.;
- Enroll in a public postsecondary education institution or an independent postsecondary education institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program;¹
- Complete a program of community service work that includes a minimum of 100 hours of community service work;
- Declare the intent to complete one year of teaching service in a publicly funded school or an eligible nonpublic school for every year for which a scholarship loan is received;
- Declare the intent to begin the required teaching service within one year after receipt of a baccalaureate degree.

CS/HB 69 defines "publicly funded school" for the purposes of the JEB Scholarship Loan Program as a school that receives at least 75 percent of its operating costs from governmental agencies, including schools that operate an educational program under contract with a school district or DOE.

CS/HB 69 defines "eligible nonpublic school" as a school that participates in the annual nonpublic school survey pursuant to s. 229.808, F.S.²; demonstrates financial soundness by being in operation for more than one year or by providing DOE with a statement by a certified public accountant that the school has sufficient capital or credit to operate; complies with the antidiscrimination provisions of 42 U.S.C. s. 2000d³; meets the state and local health and safety laws and codes; and is subject to the instruction, curriculum, and attendance criteria adopted by an appropriate nonpublic school accrediting body. CS/HB 69 requires DOE to identify nonpublic school accrediting body.

CS/HB 69 requires a student to meet the renewal requirements for a Florida Merit Scholars award pursuant to ss. 240.40203 and 240.40206, F.S. Although CS/HB 69 does not specifically provide for reinstatement or restoration of an award if a student does not meet the renewal requirements, it appears that the reinstatement and restoration provisions applicable to a Florida Merit Scholar would apply.

¹ In order to participate in the William L. Boyd, IV, Florida Resident Assistance Grant Program, the institutions must: be an independent, nonprofit college or university that is located in Florida and chartered as domestic; be accredited by the Southern Association of Colleges & Schools; grant baccalaureate degrees; have a secular purpose.

² Section 229.808, F.S., defines "nonpublic school" for the purposes of the nonpublic school survey as an individual, association, copartnership, or corporation, or department, division, or section of such organization, which designates itself as an educational center which includes kindergarten or a higher grade or as an elementary, secondary, business, technical, or trade school below college level or any organization which provides instructional services which meet the intent of s. 232.02 or which gives preemployment or supplementary training in technology or in fields of trade or industry or which offers academic, literary, or vocational training below college level, or any combination of the above, including an institution which performs the functions of the above schools through correspondence or extension, except those licensed under the provisions of chapter 246. The definition does not include home education programs conducted in accordance with s. 232.0201.

³ Section 2000d or Title 42 of the U.S. Code provides that "No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Repayment of Loan

A scholarship loan must be repaid within 10 years after completion of a program of study. Credit for repayment of a scholarship loan is as follows:

- For each year a scholarship loan recipient teaches in a publicly funded school or an eligible nonpublic school, one-fourth of the scholarship loan is forgiven. Four years of teaching repays the scholarship loan in full. A recipient has five years following graduation to satisfy the four-year teaching requirement. If a recipient does not complete the teaching requirement within the five-year period, the recipient must repay the appropriate remaining portion of the scholarship loan with interest.
- Any recipient who does not complete a program of study that enables the student to comply with the certification requirements of s. 231.17, F.S., or who does not become certified by DOE must repay the entire amount of the scholarship loan plus interest accruing from the date of the initial award.
- Although a recipient has a five-year period in which to repay the scholarship loan through teaching service, if any recipient fails to begin teaching at an eligible school within one year of receipt of a baccalaureate degree, he or she must repay the entire amount of the scholarship loan plus interest accruing from the date of the initial award.
- Repayment of funds is not required if the recipient dies or becomes permanently disabled.

The State Board of Education is required to adopt rules regarding payment schedules and applicable interest rates, pursuant to ss. 240.451 and 240.465, F.S. The Department of Education is authorized to adopt rules pursuant to ss. 120.536(1) and 120.54, F.S., to administer the provisions of the bill.

Funds specifically appropriated for the JEB Scholarship Loan Program and funds repaid pursuant to the repayment provisions of the program are to be deposited into the State Student Financial Assistance Trust Fund.

D. SECTION-BY-SECTION ANALYSIS:

This section need be completed only in the discretion of the Committee.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT:

- A. FISCAL IMPACT ON STATE GOVERNMENT:
 - 1. <u>Revenues</u>:

Funds repaid by students who do not repay the scholarship loan through teaching service are to be deposited into the State Student Financial Assistance Trust Fund. The amount over time that will be paid pursuant to this provision is not known.

2. Expenditures:

Annual recurring expenditures for maintenance of the State Student Financial Aid Database, additional staffing needs, procurement of loan services, and overhead costs that may be incurred by DOE in the administration of the JEB Scholarship Loan Program are not known.

Assuming DOE could be ready to award its first JEB scholarship loan recipients beginning in FY 03-04, the estimated costs for awards for four years is as follows:

	YR 1 (FY 03-04)	YR 2 (FY 04-05)	YR 3 (FY 05-06)	YR 4 (FY 06-07)
Award amount	\$4,000	\$ 4,000	\$ 4,000	\$ 4,000
Maximum number of				
students receiving awards	50	100	150	200
Total	\$ 200,000	\$ 400,000	\$ 600,000	\$ 800,000

- B. FISCAL IMPACT ON LOCAL GOVERNMENTS:
 - 1. <u>Revenues</u>:

CS/HB 69 does not appear to have an impact on local governmental revenues.

2. Expenditures:

CS/HB 69 does not appear to have an impact on local governmental expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The private sector would directly benefit from this legislation to the extent that students repay the JEB scholarship loans by teaching at an eligible nonpublic schools.

D. FISCAL COMMENTS:

None.

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

A. APPLICABILITY OF THE MANDATES PROVISION:

CS/HB 69 does not require counties or municipalities to spend funds or take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

CS/HB 69 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:

CS/HB 69 does not reduce the percentage of a state tax shared with counties or municipalities.

- IV. <u>COMMENTS</u>:
 - A. CONSTITUTIONAL ISSUES:

CS/HB 69 does not appear to violate any constitutional provisions.

B. RULE-MAKING AUTHORITY:

The State Board of Education is required to adopt rules regarding payment schedules and applicable interest rates, pursuant to sections 240.451 and 240.465, F.S. DOE is authorized to adopt rules pursuant to sections 120.536(1) and 120.54, F.S., to administer the provisions of the bill.

C. OTHER COMMENTS:

None.

V. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On February 1, 2002, the Committee on Colleges & Universities adopted a strike-everything amendment and passed the bill as CS/HB 69. CS/HB 69 differs from the original bill as follows:

- CS/HB 69 provides for a fixed \$4,000 award rather than an award that is based on the cost of tuition and fees in any given year.
- CS/HB 69 does not provide for summer institutes.
- CS/HB 69 does not require that a student enroll in an approved teacher preparation program CS/HB 69 requires that a student enroll in an undergraduate program of study that will enable the student to meet the teacher certification requirements.
- Unlike the original bill, CS/HB 69 requires the applicant to submit letters of recommendation along with an essay and to complete 100 hours of community service.
- CS/HB 69 allows a scholarship loan recipient to fulfill teaching obligation at eligible nonpublic schools in addition to publicly funded schools.
- CS/HB 69 requires that a scholarship loan recipient complete four years of teaching service within five years rather than seven of receipt of a baccalaureate degree.
- CS/HB 69 provides authorization for a maximum of 50 initial JEB scholarship loan awards each year rather than a minimum of 500 awards per year as the original bill provided.

VI. SIGNATURES:

COMMITTEE ON COMMITTEE ON COLLEGES & UNIVERSITIES:

Prepared by:

Staff Director:

Maria L. Eckard

Betty H. Tilton, Ph.D.