

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Higher Education Committee

BILL: CS/SB 2102

INTRODUCER: Committee on Pre-K - 12 and Senator Wise

SUBJECT: Postsecondary Education Fee Waivers

DATE: April 9, 2010 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Brown</u>	<u>Matthews</u>	<u>ED</u>	Fav/CS
2.	<u>Brown</u>	<u>Matthews</u>	<u>HE</u>	Favorable
3.	_____	_____	<u>HI</u>	_____
4.	_____	_____	<u>WPSC</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This bill authorizes a state university or community college to waive tuition and fees for postsecondary courses provided to public school, full-time classroom teachers in kindergarten through grade 12 instruction.

This bill authorizes classroom teachers to take up to 6 credit hours of State Board of Education-approved courses at state universities or community colleges, provided that academic requirements are met.

Authorization to take approved courses is subject to space availability, and the courses are limited to particular subjects.

This bill substantially amends section 1009.26 of the Florida Statutes.

II. Present Situation:

School districts and community colleges are provided fee waiver authority, provided that it does not exceed the legislatively-set amount determined annually in the General Appropriations Act.¹

Fee or tuition waivers, variably for use at career centers, community colleges, and state universities are provided to specific persons:

- Wrongfully incarcerated persons, who are eligible for a tuition and fee waiver of up to 120 credit hours;²
- State employees, working for the executive, legislative, and judicial branches of government, and full-time university employees, who are eligible for a tuition and fee waiver of up to six credit hours per semester, subject to space availability;³
- Students who do not possess high school diplomas or have diplomas but have not tested beyond eighth-grade level academics; dual enrollment or early admission program students; approved apprenticeship program students; welfare transition program students; students who were in state protective services custody; and students who lacks regular shelter, who are provided an exemption from tuition and fees, including lab fees;⁴
- Supervisors of state university student interns, and persons at least 60 years old, who are eligible for an application, tuition and fee waiver;⁵ and
- Purple Heart recipients and certain other military personnel, who are eligible for a waiver of undergraduate tuition.⁶

Some authority provides for state payment of tuition, but imposes conditions for repayment in particular circumstances, such as where the attendee leaves employment or fails to satisfactorily perform during a specified time period.⁷

As instructional personnel, classroom teachers are defined as providing, at the kindergarten through grade 12 level, basic instruction, exceptional student education, career education, and adult education, including substitute teachers.⁸

¹ s. 1009.26(1), F.S.

² s. 961.06(1)(b), F.S.

³ ss. 1009.265(1) and 1009.26(3), F.S.

⁴ s. 1009.25, F.S.

⁵ s. 1009.26, F.S.

⁶ s. 1009.26(8), F.S.; See, i.e., s. 250.10, F.S., which authorizes the Department of Military Affairs to pay the full cost of tuition and fees for required courses of the Florida National Guard, and s. 295.02, F.S., which provides for payment of tuition and registration fees, rent and books and supplies for children of deceased or disabled veteran, subject to appropriation.

⁷ s. 110.1099, F.S., provides authority for state employees to receive a voucher or grant to attend work-related courses at community colleges, career centers, or state universities, and authorizes the agency or judicial branch to enter into an agreement with the employee requiring reimbursement of costs if the employee voluntarily terminates or is terminated for cause within a four-year period after training; s. 250.10, F.S., authorizes tuition and fee payment for National Guard members but requires reimbursement if the member fails to maintain satisfactory participation in the Florida National Guard; and s. 943.16, F.S., provides for law enforcement agencies to pay trainee costs of tuition, but requires reimbursement if the trainee leaves or is terminated from employment within two years of graduation.

⁸ s. 1012.01(2)(a), F.S.

III. Effect of Proposed Changes:

The bill authorizes a state university or community college to waive tuition and fees for up to six credit hours per semester of courses taken at postsecondary institutions by classroom teachers. Although substitute teachers are included in the definition of classroom teachers, this bill requires full-time employment, so that substitute teachers probably do not qualify.

Qualifying personnel may have the option to take these courses as part of a non-degree seeking, or degree seeking undergraduate sequence.

This bill restricts the ability to take courses to classes that are space-available; therefore, non-paying personnel would not be in direct competition for courses with paying students.

Although direction is given to the State Board of Education to limit approved courses to undergraduate courses in the areas of special education, math and science, specific rulemaking authority is not granted.

Teachers are prohibited from taking tuition- and fee-free courses during the school day.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

This bill authorizes a state university or community college to allow full-time classroom teachers to take public postsecondary undergraduate-level courses without paying tuition or fees, which in addition to representing an immediate cost-saving, could provide a long-term financial benefit to participants regarding professional career advancement. As of fall 2009, the population of Florida public school classroom teachers is approximately

166,700 teachers.⁹ It is unknown how many teachers would participate, based on interest, academic qualifications, and space-availability.

C. **Government Sector Impact:**

As this bill makes the ability to take courses subject to space-availability, a fiscal impact is not expected.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 Committee on April 6, 2010:

This committee substitute:

- Limits application to classroom teachers;
- Provides that authorized courses are subject to space availability;
- Limits courses to undergraduate classes in special education, math and science;
and
- Precludes classroom teachers from taking courses during the school day.

B. **Amendments:**

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

⁹ Website: <http://www.fldoe.org/eias/eiaspubs/word/psstf0910.doc>. Last checked April 7, 2010.