



Jim Kelly

## *Bill Analysis*

Legislative Service Commission

### **H.B. 326**

123rd General Assembly  
(As Introduced)

Rep. R. Miller

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#### **BILL SUMMARY**

- Establishes the Science and Mathematics Teacher Tuition Reimbursement Program.
- Permits the Ohio Board of Regents to contract with students under the program to reimburse tuition paid to a state university for bachelor's degrees in science or math (or science or math education) in exchange for the students' teaching science or math for five years in an urban or low-wealth rural school district.
- Specifies reasons for which the Board may excuse a participant from the teaching obligation, but imposes monetary penalties on program participants who receive tuition reimbursement but fail to complete their teaching obligation without being excused.
- Creates in the state treasury the Science and Mathematics Teacher Education Tuition Reimbursement Fund, consisting of General Assembly appropriations for the program and any monetary penalties paid to the Board.

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#### **CONTENT AND OPERATION**

##### **Overview of the bill**

The bill establishes the Science and Mathematics Teacher Tuition Reimbursement Program. Under the program, the Ohio Board of Regents may contract with a student to reimburse the student's cost of tuition for his or her bachelor's degree in science or math (or science or math education), in exchange for the student's teaching science or math for five years in an urban or low-wealth rural school district.

The bill prescribes the obligations of both the program participants and the Board of Regents, the monetary penalties that must be paid when a participant receives tuition reimbursement but does not fulfill his or her teaching obligation, and reasons for which the Board may excuse a participant from a teaching obligation. The bill does not appropriate money for the program, but establishes a new fund in the state treasury to receive any future appropriations made by the General Assembly.

### **Program contracts**

(sec. 3351.21(B) and (C); Section 2)

A student may participate in the program only by entering into a contract with the Ohio Board of Regents. Each contract must include the bill's provisions specifying the obligations of the participant and the Board of Regents, but may include any other terms agreed upon by the parties or determined by the Board of Regents by rule to be in the program's interest.

If the statutes creating the program are ever repealed, the bill includes an uncodified statement that the repeal would not impair the validity, operation, or enforceability of any executory contract previously entered into. The program participants and the Board of Regents (and any other parties to the contract, if there are any) would have to continue to meet all of their contractual obligations, regardless of the repeal.

### **Obligations of program participants**

#### **Degree requirement**

(sec. 3351.21(B)(1))

Each participant must enroll in and complete a program that leads to a bachelor's degree from a state university; students of private colleges and universities are not eligible.<sup>1</sup> That degree must either have a major in science or math or be in a course of study that satisfies teacher education standards established by the Department of Education for licensure to teach science or math.

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<sup>1</sup> *The state universities are: the University of Akron, Bowling Green State University, Central State University, the University of Cincinnati, Cleveland State University, Kent State University, Miami University, Ohio University, The Ohio State University, Shawnee State University, the University of Toledo, Wright State University, and Youngstown State University (sec. 3351.20(A)).*

### **Employment requirements**

(sec. 3351.21(B)(2) to (4), (8), and (9))

Upon completion of the bachelor's degree, the participant then must actively seek and accept employment as a science or math teacher in an urban school district or low-wealth rural school district. The bill itself does not define a "rural, low-wealth school district," leaving that task to the Board of Regents in its rule-making (see "**The Board's administrative duties and rule-making authority**," below). But it does define "urban school districts" to encompass the 21 city school districts commonly known as the "Urban 21" districts.<sup>2</sup>

The participant must accept employment within a period of time prescribed in the Board of Regents' rules (see "**The Board's administrative duties and rule-making authority**," below). The participant must enter into an employment contract to teach science or math before any tuition reimbursement can be made. He or she must continue employment in such a district for at least five (presumably consecutive) years, and must annually provide the Board of Regents with proof of continuing employment in a form acceptable to the Board.

If terminated or laid off from employment, the participant must actively seek and accept employment as a science or math teacher in another urban or low-wealth rural district, unless the participant's contract with the Board stipulates otherwise. But if a low-wealth rural school district loses its designation as a low-wealth rural district, any program participants employed by the district who are still serving their teaching obligation must continue to be reimbursed as if that district continued to be a rural low-wealth district.

### **License requirement**

(sec. 3351.21(B)(5))

During the five years of teaching service, the participant must obtain and maintain a license issued by the Department of Education that is valid for teaching science or math.

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<sup>2</sup> The "Urban 21" are the Akron, Canton, Cincinnati, Cleveland, Cleveland Heights, Columbus, Dayton, East Cleveland, Elyria, Euclid, Hamilton, Lima, Lorain, Mansfield, Middletown, Parma, South-Western, Springfield, Toledo, Warren, and Youngstown city school districts (sec. 3351.20(B)).

**The Board's obligations to reimburse college tuition**

(sec. 3351.21(A)(6))

Each year, during the participant's five years of employment as a science or math teacher, the Board of Regents must reimburse the participant in an amount that is the greatest of the following:

- (1) One-fifth of the actual total cost of tuition paid to receive the bachelor's degree;
- (2) One-fifth of the total principal on an education loan (but not exceeding one-fifth of the actual total cost of tuition paid to receive the degree), plus the amount of interest due that year on the portion of the loan that was used to pay tuition; or
- (3) A combination of tuition reimbursement and loan principal and interest reimbursement, so long as the total reimbursed in any one year does not exceed (a) one-fifth of the total cost of tuition for the bachelor's degree, plus (b) the amount of interest due that year on the portion of the loan that was used to pay tuition.

**Monetary penalty for failing to meet teaching obligation**

(sec. 3351.21(B)(7))

If a participant does not teach science or math in Ohio for five years pursuant to his or her contract, he or she owes the Board of Regents damages equal to 115% of the total amount the Board had paid to the participant, plus any administrative costs the Board incurs seeking payment. The penalty is tied to the amount reimbursed by the Board, so if a participant never begins his or her teaching obligation, or takes longer to begin it than the Board's rules permit, there apparently would be no penalty.

**Exceptions to teaching obligation**

(sec. 3351.21(B)(10) and (C))

The Board of Regents may excuse a participant from obligations under the contract if he or she is unable to continue employment or to seek employment as a science or math teacher in an urban district or in a rural low-wealth district for any of the following reasons:

- (1) The participant is terminated or laid off from employment for a medical or psychological reason acceptable to the Board of Regents, and that reason is

likely to continue into the foreseeable future and preclude the participant's obtaining new employment;

(2) The board of education that employed the participant recommends that he or she be excused from the service obligation; or

(3) The participant is terminated or laid off from employment for a reason that is not his or her fault, and he or she makes a good faith effort to find new employment in an urban district or rural low-wealth district "for a significant period of time" but is unable to secure new employment.

A participant's being excused from the teaching obligation in this manner presumably would disqualify him or her from receiving further reimbursements, but also presumably would prevent the monetary penalty.

In addition, the Board of Regents may include in the program's contracts terms that allow for delaying the completion of the five years of teaching for reasons such as military service.

### **The Board's administrative duties and rule-making authority**

(sec. 3351.22)

The Board of Regents must adopt rules necessary for implementing the program. Those rules must specify the length of time that a participant may seek qualifying employment after completing his or her degree before being considered in breach of contract (and therefore ineligible for tuition reimbursement).

The Board must annually determine which school districts qualify as low-wealth rural districts. It must make a list of those districts, as well as the "Urban 21" districts, available to participants and prospective participants. Not later than January 31 each year, the Board must mail to each person who receives reimbursement a statement showing the amount reimbursed in the previous year. The statement must be sent by ordinary mail with address correction and forwarding requested in the manner prescribed by the U.S. Postal Service.

### **Program fund**

(sec. 3351.23)

The bill creates in the state treasury, the Science and Mathematics Teacher Education Tuition Reimbursement Fund, from which the Board of Regents is to pay the tuition reimbursements. The Fund is to have two revenue sources: (1) money that the General Assembly appropriates to fund the program and (2) any

damages the Board receives pursuant to a contract. Also, all investment earnings on money in the Fund must remain in the Fund (as opposed to being credited to the General Revenue Fund).

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## **HISTORY**

<b>ACTION</b>	<b>DATE</b>	<b>JOURNAL ENTRY</b>
Introduced	05-04-99	p. 512

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