

THE FLORIDA SENATE  
2011 SUMMARY OF LEGISLATION PASSED  
**Committee on Higher Education**

**CS/SM 1654 — CS/SM 1654 - Memorial to the U.S. Department of Education  
Regarding Postsecondary Programs**

by Higher Education Committee and Senator Wise

This Senate Memorial provides the United States Department of Education with a list of the private postsecondary institutions that are exempt from licensure and are authorized to operate postsecondary education programs in Florida. The memorial complies with 34 CFR s. 600.9, by providing documentation necessary for the listed institutions and their students to remain eligible for federal student financial aid programs. The effective date of the new regulations is July 1, 2011, and state affirmation of these institutions must be completed by then in order to remain eligible for federal financial aid programs.

*Vote: Senate Adopted; House Adopted*

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2011 SUMMARY OF LEGISLATION PASSED  
**Committee on Higher Education**

**CS/HB 7151 — Postsecondary Education**

by Education Committee; K-20 Innovation Subcommittee; and Rep. Stargel (CS/CS/SB 1732 by Budget Subcommittee on Higher Education Appropriations; Higher Education Committee; and Senator Lynn)

This bill addresses aspects of the public postsecondary education system relating to efficiency, access and quality.

**Duties Assigned to the Higher Education Coordinating Council**

The Higher Education Coordinating Council must produce a report by December 31, 2011, to address:

- The primary core missions of public and non-public postsecondary education institutions in terms of the student access to education and the state's economic development goals;
- Performance measures across sectors relating to student preparedness, retention, transfer, and completion;
- The state's articulation policies to maximize cost benefits without jeopardizing quality and to ensure institutional compliance with the policies; and
- Workforce development education to align school district and Florida College System programs to ensure cost efficiency and mission delineation.

**Articulation**

The Department of Education (DOE) must use student performance data from postsecondary courses to determine the scores for which credit is to be granted for acceleration courses including the College Level Examination Program subject examination, the College Board Advanced Placement Program examination, the Advanced International Certificate of Education examination, and the International Baccalaureate examination. The scores may vary by subject area based on the student performance data.

The bill codifies the 11-member Articulation Coordinating Committee, which must be appointed by the Commissioner of Education, in consultation with the Chancellor of the State University System. The committee must review the statewide course numbering system, articulation agreements and articulation data; monitor the alignment between institutional requirements; and make recommendations relating to statewide articulation policies to the Higher Education Coordinating Council, the State Board of Education, and the Board of Governors.

The bill provides access to postsecondary education for individuals with intellectual disabilities by allowing reasonable substitutions for entry, admission to a program of study, and graduation requirements, as is currently provided to other students with disabilities. Students with intellectual disabilities are those with mental retardation or a cognitive impairment characterized by significant limitation in intellectual and cognitive functioning who are or were provided a free

and appropriate public education under the Individuals with Disabilities Education Act. The proposed changes will align Florida statutes with the provisions of the Higher Education Opportunities Act and facilitate activities to help these students prepare for gainful employment.

Statewide consistency is established in postsecondary remediation policies by:

- Requiring the State Board of Education to establish by rule provisions for alternative remediation opportunities and retesting policies; and
- Requiring Florida College System institutions to advise students who have accumulated 12 college credit hours but who have not yet demonstrated proficiency in the basic competency areas regarding—
  - The requirements for associate degree completion and state university admission;
  - Information about future financial aid eligibility; and
  - The potential financial cost of accumulating excess college credit.

### **Florida College System and State University System Management**

The bill makes the following changes regarding the management of public postsecondary institutions:

- A community college board of trustees may request an investigation of the college president's actions by the DOE Inspector General who must provide a detailed report on the investigation and must refer potential legal violations to the appropriate authority;
- A college or university president may dispose of abandoned personal property without having to sell the items at an auction;
- The State Board of Education must review Florida College System institution budgets but is not required to approve them, leaving approval to the college boards of trustees; and
- The Board of Governors is authorized to adopt regulations instead of rules for six designated areas: building names, patents, contractor's bonds, lease agreements, delinquent accounts, and purchasing.

### **Repealed Statutes**

The bill repeals the following statutory provisions:

- Obsolete statutory references to the College Level Academic Skills Test (CLAST);
- The University Concurrency Trust Fund which last was funded in 2007 and no longer contains funds;
- The Florida Business and Education Collaborative, which was never appointed; and
- The prohibition against a public college or university requiring a student who earns 9 or more credit hours through an acceleration mechanism to enroll in a summer term, thus permitting a state university or Florida College System institution to require summer term attendance by students.

If approved by the Governor, these provisions take effect July 1, 2011.

*Vote: Senate 38-1; House 90-27*

