

# FLORIDA DEPARTMENT OF EDUCATION



## STATE BOARD OF EDUCATION

KATHLEEN SHANAHAN, Chair  
ROBERTO MARTÍNEZ, *Vice Chair*

### Members

GARY CHARTRAND  
DR. AKSHAY DESAI  
BARBARA S. FEINGOLD  
JOHN R. PADGET

John L. Winn  
Commissioner of Education



July 22, 2011

## MEMORANDUM

**TO:** Exceptional Student Education Directors  
Student Services Directors

**FROM:** Dr. Michael Grego 

**SUBJECT:** HB 7151—POSTSECONDARY EDUCATION, STUDENTS WITH DISABILITIES

On June 17, 2011, Governor Rick Scott signed House Bill 7151 into law effective July 1, 2011. The bill addresses various aspects of Florida's public postsecondary education system related to efficiency, access, and quality.

One of the primary areas of interest to those working with and on behalf of students with disabilities is that the bill expands 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. **All students must meet minimum admissions requirements as required under section (s.) 1007.263, Florida Statutes (F. S.), in order to be admitted to a degree program in the Florida College System.** These changes align with the provisions of the Higher Education Opportunity Act (HEOA). The HEOA is designed to assist students with intellectual disabilities to prepare for gainful employment.

Sections 1007.264 and 1007.265, F. S., will be impacted by the statutory changes. The statutes are amended as follows:

*1007.264 Persons with disabilities; admission to postsecondary educational institutions; substitute requirements; rules and regulations.—*

- (1) Any student with a disability, as defined in s. 1007.02(2), who is otherwise eligible, ~~except those who have been documented as having intellectual disabilities,~~ shall be eligible for reasonable substitution for any requirement for admission into a public postsecondary educational institution where documentation can be provided that the person's failure to meet the admission requirement is related to the disability.

DR. MICHAEL GREGO  
CHANCELLOR OF PUBLIC SCHOOLS

*1007.265 Persons with disabilities; graduation, study program admission, and upper-division entry; substitute requirements; rules and regulations.—*

(1) Any student with a disability, as defined in s. 1007.02(2), in a public postsecondary educational institution, ~~except those who have been documented as having intellectual disabilities,~~ shall be eligible for reasonable substitution for any requirement for graduation, for admission into a program of study, or for entry into the upper division where documentation can be provided that the person's failure to meet the requirement is related to the disability and where failure to meet the graduation requirement or program admission requirement does not constitute a fundamental alteration in the nature of the program.

For your reference, we have provided an attachment to this memo to offer additional guidance regarding the statutory changes.

If you have questions, please contact Sheila Gritz at [sheila.gritz@fldoe.org](mailto:sheila.gritz@fldoe.org) or Amy Albee, Division of Florida Colleges, at [amy.albee@fldoe.org](mailto:amy.albee@fldoe.org).

BJL/sgd

Attachment

cc: Mary Jane Tappen  
Bambi J. Lockman  
Will Holcombe, Division of Florida Colleges  
Judith Bilsky, Division of Florida Colleges  
Julie Alexander, Division of Florida Colleges  
Amy Albee, Division of Florida Colleges  
Carrie Henderson, Division of Florida Colleges  
Frank Brogan, Board of Governors, State University System  
Lynda Page, Board of Governors, State University System  
District Transition Contacts  
FDLRS Managers  
FDLRS Transition Contacts  
Cathy Bishop  
Sheryl Sandvoss  
Sheila Gritz  
Jordan Knab

**HB 7151—POSTSECONDARY EDUCATION, STUDENTS WITH DISABILITIES**  
**Technical Assistance Document**

**Will substitutions or modifications be automatically made by the postsecondary institution?**

No. Students must seek the substitution through the established process at the institution. This will require a student to self identify and provide required documentation as a student with a disability. Students should see the institution's Student Disability Office or Admissions Office for details regarding the process.

**Will students who have earned a special diploma be eligible for a substitution of degree program admission requirements?**

No. Students who have earned a special diploma will not be eligible for a substitution of admission requirements for degree programs. The new statute language (s. 1007.264, F. S.) states that students must be *otherwise qualified* in order to be eligible for consideration of a substitution of admission requirements. Students wishing to pursue a degree at a Florida College System institution must meet the admission requirements detailed in s. 1007.263, F. S. Students who earn a special diploma have the option of earning a General Equivalency Diploma (GED) in order to be admitted to a degree-seeking program.

Requirements for first-time-in-college students seeking a baccalaureate degree at a state university are specified in Board of Governors Regulation 6.002 available at [http://www.flbog.edu/documents\\_regulations/regulations/6%20002%20Admission%20of%20Undergraduate%20FTIC%20Freshmen%20\(mv%20edits\).pdf](http://www.flbog.edu/documents_regulations/regulations/6%20002%20Admission%20of%20Undergraduate%20FTIC%20Freshmen%20(mv%20edits).pdf). Students are required to have a standard high school diploma, or equivalent, and must have taken the SAT Reasoning Exam or the ACT with writing option.

**What kind of substitutions can students receive toward admission requirements?**

Admissions tests (i.e., SAT Reasoning Test or ACT) are always required. Students with disabilities should request appropriate accommodations from the admission testing company (i.e., College Board and/or ACT). Most students will be expected to meet minimum test standards due to the availability of accommodations during the test-taking process. Students seeking admission to a state university may seek a substitution for one of the specified 18 high school credits for university admissions purposes if they can show that their disability limits success in the required options.

**What type of substitutions can students receive toward upper division entry, program entry, and graduation?**

Students may be able to take courses to substitute for specific requirements. For example, one common substitution request is MAC 1105, College Algebra. This course may be substituted for General Education requirements; however, if it is a prerequisite for higher level math in the core degree curriculum, institutions are not required to substitute. The math courses in *business and engineering*, such as *calculus*, begin with *College Algebra as a prerequisite*. Students who substitute College Algebra are not eligible to take calculus.

**Will these changes impact Transition and Postsecondary Programs for Students with Intellectual Disabilities (TPSIDs)?**

TPSID's are authorized under section 760(1) of the Higher Education Opportunity Act and designed to provide students with intellectual disabilities the opportunity to earn a meaningful credential upon the completion of the model program. Currently, the majority of the students participating in these programs are not enrolled in degree-seeking programs, but auditing courses related to their postsecondary education or training and employment goals. Students in TPSID programs are required to meet minimum admissions standards in order to be eligible to pursue a degree program.