

Thank you for contacting my office about your concerns relating to the articulation provisions in Senate Bill 820 that are slated to be included in the fiscal code legislation as part of the legislative package of bills needed for the implementation of the 2009-2010 budget. I have heard from many of your colleague over the course of the past few days. In addition to unease raised about certain December 2009 “deadlines” in the legislation, many of you expressed concerns over the acceptance of a transfer student from a community college into a program of study or major and the fear that the student may not have satisfied the appropriate prerequisites for a particular major course of study.

In 2006, the Commonwealth enacted Article XX-C of the Public School Code of 1949, which called for the establishment of a Transfer and Articulation Oversight Committee charged with developing a universal system for transferring credits between institutions of higher education. The Committee, chaired by the Secretary of Education, included representatives of Pennsylvania's community colleges and the Pennsylvania State System of Higher (PASSHE) were required to participate in the credit transfer system once it was established. The Committee was tasked with developing equivalency standards for foundation courses and to determine, by June 30, 2008, course equivalencies for at least 30 hours of foundation courses. Foundation courses were defined as courses required to be completed by students that provide an academic foundation for the degree, general education or advanced study in a major.

The current legislation seeks, no later than December 31, 2011, to expand on the initial efforts and calls for the acceptance, with full junior standing, of a student who holds an Associates of Arts or Science degree into a parallel baccalaureate program. The Associates of Arts or Science degree must contain a minimum of 60 credits and it must be an Associates degree designed primarily for transfer to a baccalaureate institution, such as a PASSHE institution. The new provisions do not mandate that credits transferred automatically count towards or satisfy credits required for any major course of study. Nothing in the legislation says that a particular course satisfies a prerequisite for a major.

The legislation calls for the Transfer and Articulation Oversight Committee (TAOC), of which each PASSHE institution is a member, to provide interim reports to the Pennsylvania Department of Education (PDE), with the first report due by December 31, 2009. The interim reports are to outline the efforts that institutions of higher education are taking or intend to undertake to comply with the above. It does not require that programs or courses be identified December 31, 2009. Faculty and personnel are to be consulted on such identification.

In addition, TAOC must consult with PDE on the process and timeline to identify the Associates of Arts and Science degree aligned with the parallel baccalaureate degree. It is the process and timeline, *not the actual identification of the programs*, which must take place by December 1, 2009. The identification of the Associates of Arts and Science degree programs for transfer is to occur by December 31, 2011. Such identification, again, is to be done “*in consultation with faculty and personnel in those degree programs.*” Moreover, faculty and personnel involvement is required and called for in identifying modifications that may be required in order to satisfy accreditation or license requirements, as well as requirements for education degrees.

Many pieces of legislation make up the final enacted budget package. In addition to the annual General Appropriations Act, legislation necessary for implementation of the budget is enacted each year. This typically includes legislation addressing the Tax Code, Fiscal Code and Public School Code. For many reasons, a decision was made not to utilize an omnibus Public School Code bill as part of this year's budget process. Instead, the provisions affecting education funding and other education-related budgetary items will be enacted as part of the Fiscal Code. It should be noted that the education provisions in the Fiscal Code expire June 30, 2010, thus necessitating the need for legislation to transfer the articulation provisions, along with others, into the Public School Code. A commitment was made to do so later this fall after the final passage of the budget.

The Senate Democrats, along with the Senate Republicans, House Democrats and the Rendell Administration, worked over the course of several weeks to finalize the items that would make up the education provisions. Included in this was legislation I sponsored, Senate Bill 820, which was amended to include the articulation provisions affecting PASSHE institutions passed out the Senate Education Committee on June 23, 2009. Soon after on July 2, 2009, the House Education Committee took up legislation sponsored by Representative Houghton, House Bill 1659, which was amended to mirror Senate Bill 820. During the negotiation of the education provisions to be included as part of the fiscal code, the Administration identified the articulation provisions that had been negotiated and included in Senate Bill 820 and House Bill 1659 as a priority for them. The three caucuses agreed to include this language. All of the education-related provisions were agreed to and language finalized early last week.

[In case you were not aware, the PASSHE articulation provisions were developed through discussions among the Chancellor's Office of the State System of Higher Education, the presidents of the Commonwealth's 14 community colleges, PDE and the Governor's Office. Throughout the summer, the Governor's Office continued to negotiate with Pennsylvania's State Related institutions, which were not subjected the initial 30 foundation credits, to develop articulation provisions that allow for the transfer of up to 30 credits.]

Even though final agreement had been reached, I contacted the Governor's Office in hopes of getting the initial December 2009 dates extended. Unfortunately, I was not successful. Because the education language was locked in and agreement reached to make no further changes, some expressed concern that re-opening the language for this change would invite opportunities to make changes to other provisions of the legislation. Because of the need to transfer these provisions into the Public School Code, the opportunity to make adjustments to the articulation provisions, as well as other areas, will be available. I will continue to push for adjustments during this process not only as it relates to the dates included, but also to continue to ensure faculty involvement in the program and course identification.

I will have also the opportunity when the articulation provisions are transferred to the Public School Code to make it very clear in my floor remarks, as well as through member interrogation on the floor, that the legislation does not mean that credits that transfer via the acceptance of the Associates of Arts or Science degree automatically fulfill major prerequisites or major requirements. Thus, the legislative intent for these provisions will be clearly reflected in the legislative record.

Thank you once again for reaching out to me with your concerns. While I was unable to get agreement on making changes at this time, be assured that I will continue to work towards addressing your concerns, along with any others that may arise, as these provisions are transferred legislatively into the Public School Code once the budget is completed.

Please feel free to contact Eileen K. Flinn, Esq., who serves as the Executive Director of the Senate Education Committee for the Democratic Caucus. You can reach Ms. Flinn at 717-787-3613 in my Harrisburg Office or by e-mail, [eflinn@pasenate.com](mailto:eflinn@pasenate.com).