



April 22, 2020

TO: THE DISTRICT BOARD OF TRUSTEES
OF VALENCIA COLLEGE

FROM: SANFORD C. SHUGART
President

RE: TEMPORARY ACADEMIC AND STUDENT AFFAIRS PROCEDURAL
CHANGES IN RESPONSE TO ADVERSE CONDITIONS CAUSED BY
COVID-19 PANDEMIC

As a result of the significant disruptions created by the COVID-19 pandemic, the College is preparing to implement a number of temporary procedural changes in academic and student affairs in an effort to support students' academic momentum and success:

I. Items Submitted for Approval by District Board of Trustees

The following recommended procedural changes are within the approval authority of the District Board of Trustees:

A. Deadline for Submission of Documents Related to Classification of Students as Residents for Tuition Purposes

1. *Legal Authority:* State Rule 6A-10.044 authorizes each institution of higher education to establish submission deadlines for documentation that is used to determine residency for tuition purposes.
2. *Standard Procedure:* In Valencia's 2019-20 Important Dates and Deadlines document, the deadline for submitting residency documentation for the Summer 2020 term is listed as May 4, 2020.
3. *Temporary Recommended Procedure:* In order to facilitate the submission and processing of residency documentation in a virtual environment, the College recommends extending the deadline for submission of residency documents for

Summer 2020 to July 2, 2020. In order to be eligible for residency for tuition purposes for the Summer 2020 term, students' documentation must still demonstrate that residency requirements were met prior to May 4, 2020 (the first day of the summer term).

B. Approvals for Exceptions for Full Cost of Instruction for Third Attempt

1. *Legal Authority:* Pursuant to Florida Statutes 1009.285 and 1009.28, a student enrolled in the same course more than twice shall pay tuition at 100 percent of the full cost of instruction. The statutes also allow for an exception once per student per course if approval is granted according to board policy.
2. *Standard Procedure:* Valencia Policy 6Hx28:6-08.2 describes that students may be granted a one-time per course exception as determined by the President or designees. The current procedure requires a student to submit an individual appeal.
3. *Temporary Recommended Procedure:* Rather than requiring each student to submit an individual appeal citing COVID-19, given the present extraordinary circumstances, the College recommends a process to approve appeals on behalf of all students who are enrolled in a second course attempt in Spring 2020 and earn a final grade of F or U, or D or S- (if a grade of C or higher in the course is required to progress or graduate). This approach will exempt students from paying the full cost of instruction in their third attempt if they enroll in Summer 2020, Fall 2020, or Spring 2021; if a student enrolls in a subsequent term, the student would need to follow the standard appeal process. If a student earns a grade of R20 in Spring 2020, the R20 does not count as an attempt and the student may re-enroll in a second attempt of the course at any time without appeal.

C. Approvals for Fourth Attempt in a Course

1. *Legal Authority:* State Rule 6A-14.0301 indicates that students may only have three attempts per course, but that a fourth attempt may be allowed through an academic appeal process based on major extenuating circumstances.
2. *Standard Procedure:* Valencia's College Catalog describes that permission to register for a fourth attempt, based on major extenuating circumstances, may be requested through an academic appeal process that specifies that a student must submit an individual appeal.
3. *Temporary Recommended Procedure:* Rather than requiring each student to submit an individual appeal citing COVID-19, given the present extraordinary circumstances, the College recommends a process to approve appeals on behalf of all students who are enrolled in a third course attempt in Spring 2020 and earn a final grade of F or U, or D or S- (if a grade of C or higher in the course is required to progress or graduate). This approach will grant permission for students to

enroll in a fourth attempt in Summer 2020, Fall 2020, or Spring 2021; if a student enrolls in a subsequent term, the student would need to follow the standard appeal process. If a student earns a grade of R20 in their third attempt in Spring 2020, the R20 does not count as an attempt and the student may re-enroll in a third attempt at any time.

D. Eligibility for State Financial Aid Awards and Tuition Assistance Grants

1. *Legal Authority:* Pursuant to Florida Statute 1009.40, students must maintain a cumulative grade point average of at least 2.0 and earn a minimum of 12 credits per term to maintain eligibility for state financial aid awards. The statute also outlines that students who fail to meet state academic progress requirements due to verifiable illness or other emergencies may request an exception by appealing to the College. The College then recommends such exceptions to the Department of Education, who may accept or deny such recommendations.
2. *Standard Procedure:* The current procedure requires a student to submit an individual appeal.
3. *Temporary Recommended Procedure:* Rather than requiring each student to submit an individual appeal citing COVID-19, given the present extraordinary circumstances, the College recommends a process to request an exception on behalf of all students who do not meet the state academic progress requirements as a result of their performance in the Spring 2020 term, and recommend such exceptions to the Department of Education.

E. Exceptions for Repayment of Bright Futures Scholarship

1. *Legal Authority:* Pursuant to Florida Statute 1009.53, the Bright Futures Scholarship Program may not be used to pay for courses dropped or withdrawn. The statute also outlines that students who drop or withdraw from a course due to verifiable illness or another emergency may request an exception by appealing to the College. The College then recommends such exceptions to the Department of Education, who may accept or deny such recommendations.
2. *Standard Procedure:* The current procedure requires a student to submit an individual appeal.
3. *Temporary Recommended Procedure:* Rather than requiring each student to submit an individual appeal citing COVID-19, given the present extraordinary circumstances, the College recommends a process to request an exception on behalf of all students who elected the retake option in the Spring 2020 term, and recommend such exceptions to the Department of Education.

F. Admissions Requirements for International Students

1. *Legal Authority:* There is no state statute or rule that specifies admissions requirements for international students.
2. *Standard Procedure:* The 2019-20 Valencia College Catalog states that students who wish to enroll on an F-1 visa, for whom English is not their native language, must meet requirements of English proficiency by submitting results of one of the following exams: TOEFL, IELTS, ACCUPLACER ESL, SAT Writing and Language Test, or ACT English. Given the conditions of the pandemic, standardized testing is not generally available. In some instances, remote proctored testing is available, but would require potential students to own a webcam.
3. *Temporary Recommended Procedure:* The College recommends amending the 2019-20 College Catalog to indicate that international student applicants may demonstrate English proficiency using the Duolingo English Test for admission for the Summer 2020 term. The Duolingo English test is readily available online and is accepted by more than 800 colleges and universities worldwide.

G. Entry Testing Prior to New Student Orientation/Advisement

1. *Legal Authority:* State Rule 6A-10.0315 requires that certain students be tested for proficiency in reading, writing, and mathematics prior to the completion of initial course registration; however, there is no state statute or rule that specifies that students must complete placement testing prior to participating in New Student Orientation/Advisement.
2. *Standard Procedure:* The 2019-20 Valencia College Catalog states that entry testing is required prior to participation in New Student Orientation/Advisement. As the College's campuses are currently closed, testing center facilities are not available to students.
3. *Temporary Recommended Procedure:* The College recommends amending the 2019-20 College Catalog to allow students to participate in New Student Orientation/Advisement prior to the completion of entry or placement testing.

II. Items Presented for the Information of the District Board of Trustees

The College has requested that the Chancellor of the Florida College System grant relief from the following state statutes and rules which, given the extraordinary conditions of the COVID-19 pandemic, present significant barriers and obstacles for students:

A. Placement Testing for New Students

1. *Legal Authority:* State Rule 6A-10.0315 identifies any student who entered 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and earned a Florida standard high school diploma, or any student who is serving as an active duty member of any branch of the United States Armed Services, as "exempt." As a result, the majority of new students are classified as

exempt. However, the rule requires that any “non-exempt” student be tested for proficiency in reading, writing, and mathematics prior to the completion of initial registration, through one of the following tests: PERT, ACCUPLACER, Next-Generation ACCUPLACER, SAT, or ACT.

2. *Issue:* As the College’s campuses are currently closed, testing center facilities are not available to students. While remote proctored options exist for placement testing, these options would require that new students have access to a webcam before registering for courses.
3. *College’s Request of the State:* The college has requested permission to allow all new students who apply for admission for Summer 2020 and Fall 2020 to register for courses without completing one of the standardized tests outlined in state rule. The college has requested permission to use multiple measures, which may include measures such as diagnostic tests developed by faculty and learning support staff, to place students into appropriate courses. For students who are “non-exempt,” this may include placement into developmental education courses, as appropriate.

B. Student Eligibility Requirements for Dual Enrollment

1. *Legal Authority:* Pursuant to Florida Statute 1007.271, student eligibility requirements for initial enrollment in college credit dual enrollment courses must include a minimum score on a common placement test adopted by the State Board of Education which indicates that the student is ready for college-level coursework. The common placement tests identified in state rule are: PERT, ACCUPLACER, Next-Generation ACCUPLACER, SAT, or ACT.
2. *Issue:* As the College’s campuses are currently closed, testing center facilities are not available to students. While remote proctored options exist for placement testing, these options would require that dual enrollment applicants have access to a webcam in order to meet eligibility requirements.
3. *College’s Request of the State:* The college has requested permission to use multiple measures, which may include measures such as PSAT scores, AP test scores, high school End of Course exam scores, and Florida Standards Assessment scores, to determine dual enrollment applicants’ readiness for college-level coursework to fulfill eligibility requirements.

C. Tuition and Fee Waivers

1. *Legal Authority:* Pursuant to Florida Statute 1009.25, Florida College System institutions are authorized to grant student tuition and fee exemptions up to 1% of the college’s full-time equivalent enrollment. For Valencia, this grants authorization for tuition and fee waivers for approximately 9,500 credit hours annually.

2. *Issue:* Valencia would like to encourage students who elected the course retake option in Spring 2020 to continue their academic momentum in Summer by waiving tuition and fees for the courses they choose to retake. Given the popularity of the retake option, it is highly probable that Valencia will be in the position of waiving tuition and fees for more than 1% of its full-time equivalent enrollment during the 2020-21 Academic Year (Summer 2020, Fall 2020, Spring 2021).
3. *College's Request of the State:* The college has requested permission to exceed the one percent cap on tuition and fee waivers for the 2020-21 Academic Year.

D. Waiver of Full Cost of Instruction for Additional Course Attempts

1. *Legal Authority:* Pursuant to Florida Statutes 1009.285 and 1009.28, a student enrolled in the same course more than twice shall pay tuition at 100 percent of the full cost of instruction. Students may be granted a one-time exception per course for full cost of instruction after two course attempts. For students who are enrolled in a third attempt of a course in Spring 2020 and who do not successfully complete the course, the College plans to allow students to retake the course again (which is allowed for in State Rule 6A-14.0301).
2. *Issue:* The College wishes to grant students an exception to the full cost of instruction in Summer 2020, Fall 2020, or Spring 2021, even if they were granted an exception in Spring 2020, which currently is not permitted by Florida Statute 1009.285 or 1009.28.
3. *College's Request of the State:* The college has requested permission to grant a second exception to waive the full cost of instruction fee for any student who was granted a first exception in Spring 2020 and who retakes the course in Summer 2020, Fall 2020, or Spring 2021.

RECOMMENDED ACTION:

The President recommends that the District Board of Trustees of Valencia College:

1. Approve the procedural adjustments that are within their authority related to Deadline for Submission of Documents Related to Classification of Students as Residents for Tuition Purposes, Approvals for Exceptions for Full Cost of Instruction for Third Attempt, Approvals for Fourth Attempt in a Course, Eligibility for State Financial Aid Awards and Tuition Assistance Grants, Exceptions for Repayment of Bright Futures Scholarship, Admissions Requirements for International Students, and Entry Testing Prior to New Student Orientation/Advisement, as outlined above, and make appropriate amendments to the College Catalog and other College documents to reflect these approvals.
2. Support the College's requests to the state for relief from applicable statutes and rules that will impede student success under the adverse conditions of the COVID-19

pandemic related to Placement Testing for New Students, Student Eligibility Requirements for Dual Enrollment, Tuition and Fee Waivers, and Waiver of Full Cost of Instruction for Additional Course Attempts, as outlined above. As necessary and appropriate, the Board authorizes the College to make relevant amendments to the College Catalog and other College documents.

A handwritten signature in black ink, reading "Sanford C. Shuyart", enclosed in a thin black rectangular border.

President