Articulation Legislation of 1994

The following act created the AGSC and expanded STARS statewide.

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ACT 94-202

Enrolled, An Act

To amend Section 16-5-8, Code of Alabama 1975, to provide for a uniform articulation agreement among all institutions of higher education and a statewide general studies curriculum; to provide for the computation of grade point averages of certain transferred students; to specify that this act shall not impede the objectives of historically black institutions; to provide for implementation conditioned on the participation of certain institutions; and to specify certain reporting requirements.

Be it enacted by The Legislature of Alabama

Section 1. Section 16-5-8, Code of Alabama 1975, is amended to read as follows:

Section 16-5-8

"(a) The commission on higher education is authorized to review periodically all new and existing programs and units of instruction, research, and public service funded by state appropriations at the state universities and colleges and to share with the appropriate governing board, through the president of the institution, and state legislature, its recommendations.

"(b) The commission shall seek through the use of advisory committees to study needless duplication of education, research, or service programs and programs which are not adequately provided in the state, and shall make findings and recommendations to the institutions, the governor, and the legislature that would strengthen the total program of higher education in the state.

"(c) The governing boards of public institutions of higher education in this state and the campuses under their governance or supervision shall not undertake the establishment of any new unit or program of instruction for academic credit with state funds before submitting plans for the new unit or program to the commission for its review, evaluation, and approval. Not state funds shall be expended by any public institution on any new unit or program of instruction which has not been approved by the commission. Any plan submitted to the commission, or its staff, and not receiving final action by the commission within 10 months of submission shall be considered approved. The term 'new unit of instruction,' includes the establishment of a college, school, division, or institute, and includes the establishment of any new branch or campus. The term does not include reasonable extensions or alternations of existing curricula, or programs which have a direct relationship to existing programs. The commission may, under its rulemaking power, define the character of the reasonable extensions and alterations.

"(d) The commission shall have the authority to authorize and regulate off-campus offerings, new or existing. An exception to this off-campus authority is provided for the branch campuses of universities or branch campuses of junior colleges in existence at the time of passage of this chapter whose fall 1978 registrations exceeded 500 class enrollments and branch campuses of universities operating prior to 1960. For those branches which began operating since 1960, the commission shall present its recommendation for the continuation or termination of each branch with full findings of fact to the legislature before a public joint meeting of the education committees of the house and senate no later than the fifth legislative day of the 1981 regular session of the legislature. In making the recommendation, the commission shall not use the ratio of full-time faculty to part-time faculty and/or a requirement to attend the main campus for degree completion as a part of its judgment of the quality of a program or branch campus. The education
Nothing in this act shall be deemed to require a public institution to include any grades earned at another historically black institution or their officials to carry out the mandates and objectives of federal court decrees and to provide equal access for all citizens of Alabama to full benefits of higher education.
Section 4. It is the intent of the Legislature that all two-year and four-year institutions of higher education in the state comply with the intent of this act and the guidelines developed pursuant to it (unless otherwise exempted by this act). In the event of noncompliance by any institution governed by a board of trustees established by the Constitution with the statewide articulation agreement as provided in this act of the 1994 Regular Session amending Section 16-5-8 of the Code of Alabama 1975, no other two-year or four-year institution shall be required to comply with the statewide articulation agreement. These two-year and four-year institutions shall continue to comply with all other provisions of Section 16-5-8, Code of Alabama 1975. The Alabama Commission on Higher Education shall notify the Legislative council, the governing body of each four-year institution, and the State Board of Education within 30 days of any failure to comply with this act or guidelines.

Section 5. Pursuant to Section 16-5-7 and 16-5-8 of the Code of Alabama 1975, the Alabama Commission on Higher Education shall make regular reports to the Legislature regarding the implementation of this act.

Section 6. The provisions of this act are severable. If any part of this act is declared invalid or unconstitutional, that declaration shall not affect the part which remains.

Section 7. All laws or parts of the laws which conflict with this act are repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.