

1  
2 An act relating to education; creating s.  
3 236.08106, F.S., relating to the Excellent  
4 Teaching Program; providing legislative  
5 findings and intent; authorizing monetary  
6 incentives and bonuses for teaching excellence;  
7 providing for annual allocations to districts;  
8 providing fee subsidies and conditions for  
9 repayment of subsidies for participating in the  
10 certification program of the National Board of  
11 Professional Teaching Standards; requiring the  
12 distribution of certain monetary bonuses to  
13 teachers; providing eligibility criteria;  
14 requiring release time for certain activities;  
15 requiring certain district expenditures for  
16 professional development of teachers; amending  
17 s. 236.081, F.S.; authorizing categorical  
18 funding for the Excellent Teaching Program;  
19 amending s. 231.173, F.S., relating to  
20 certification of experienced out-of-state  
21 teachers and administrators; deleting a  
22 requirement for superintendents to request  
23 certification; providing for issuance of a  
24 professional certificate to individuals  
25 certified by the National Board of Professional  
26 Teaching Standards; conforming provisions;  
27 amending s. 231.24, F.S.; authorizing renewal  
28 of certificates through national certification;  
29 amending s. 110.1099, F.S.; clarifying  
30 description of tuition waivers; amending s.  
31 246.021, F.S.; clarifying the definition of the

1 term "college"; amending s. 246.031, F.S.;  
2 revising requirements relating to members of  
3 the State Board of Independent Colleges and  
4 Universities; amending s. 246.041, F.S.;  
5 revising powers and duties of the board;  
6 deleting or correcting obsolete references;  
7 amending s. 246.084, F.S., relating to colleges  
8 receiving an authorization; revising certain  
9 requirements; providing for exemption from  
10 certain requirements; revising provisions  
11 relating to oversight of the review and  
12 collection of data for purposes of determining  
13 compliance; amending s. 246.085, F.S.; revising  
14 provisions relating to issuance of a  
15 certificate of exemption; amending s. 246.101,  
16 F.S., to conform; amending 246.121, F.S.;  
17 correcting obsolete references; amending s.  
18 246.31, F.S., relating to the Institutional  
19 Assessment Trust Fund; conforming provisions;  
20 providing an effective date.

21

22 Be It Enacted by the Legislature of the State of Florida:

23

24 Section 1. Section 236.08106, Florida Statutes, is  
25 created to read:26 236.08106 Excellent Teaching Program.--27 (1) The Legislature recognizes that teachers play a  
28 critical role in preparing students to achieve the high levels  
29 of academic performance expected by the Sunshine State  
30 Standards. The Legislature further recognizes the importance  
31 of identifying and rewarding teaching excellence and of

1 encouraging good teachers to become excellent teachers. The  
2 Legislature finds that the National Board of Professional  
3 Teaching Standards (NBPTS) has established high and rigorous  
4 standards for accomplished teaching and has developed a  
5 national voluntary system for assessing and certifying  
6 teachers who demonstrate teaching excellence by meeting those  
7 standards. It is therefore the Legislature's intent to provide  
8 incentives for teachers to seek NBPTS certification and to  
9 reward teachers who demonstrate teaching excellence by  
10 attaining NBPTS certification and sharing their expertise with  
11 other teachers.

12 (2) The Excellent Teaching Program is created to  
13 provide categorical funding for monetary incentives and  
14 bonuses for teaching excellence. The Department of Education  
15 shall allocate and distribute to each school district an  
16 amount as prescribed annually by the Legislature for the  
17 Excellent Teaching Program. Unless otherwise provided in the  
18 General Appropriations Act, each school district's annual  
19 allocation shall be the sum of the amounts earned for the  
20 following incentives and bonuses:

21 (a) A fee subsidy to be paid by the school district to  
22 the NBPTS on behalf of each individual who is an employee of  
23 the district school board or a public school within that  
24 school district, who is certified by the district to have  
25 demonstrated satisfactory teaching performance pursuant to s.  
26 231.29 and, who satisfies the prerequisites for participating  
27 in the NBPTS certification program, and who agrees, in  
28 writing, to pay 10 percent of the NBPTS participation fee and  
29 to participate in the NBPTS certification program during the  
30 school year for which the fee subsidy is provided. The fee  
31 subsidy for each eligible participant shall be an amount equal

1 to 90 percent of the fee charged for participating in the  
2 NBPTS certification program, but not more than \$1,800 per  
3 eligible participant. The fee subsidy is a one-time award and  
4 may not be duplicated for any individual.

5 (b) A portfolio-preparation incentive of \$150 for each  
6 teacher employed by the district school board or a public  
7 school within the district who is participating in the NBPTS  
8 certification program. The portfolio-preparation incentive is  
9 a one-time award paid during the school year for which the  
10 NBPTS fee subsidy is provided.

11 (c) An annual bonus equal to 10 percent of the prior  
12 fiscal year's statewide average salary for classroom teachers  
13 to be paid to each individual who holds NBPTS certification  
14 and is employed by the district school board or by a public  
15 school within that school district. The district school board  
16 shall distribute the annual bonus to each individual who meets  
17 the requirements of this paragraph and who is certified  
18 annually by the district to have demonstrated satisfactory  
19 teaching performance pursuant to s. 231.29. The annual bonus  
20 may be paid as a single payment or divided into not more than  
21 three payments.

22 (d) An annual bonus equal to 10 percent of the prior  
23 fiscal year's statewide average salary for classroom teachers  
24 to be paid to each individual who meets the requirements of  
25 paragraph (c) and agrees, in writing, to provide the  
26 equivalent of 12 workdays of mentoring and related services to  
27 public school teachers within the district who do not hold  
28 NBPTS certification. The district school board shall  
29 distribute the annual bonus in a single payment following the  
30 completion of all required mentoring and related services for  
31 the year. It is not the intent of the Legislature to remove

1 excellent teachers from their assigned classrooms, therefore,  
2 credit may not be granted by a school district or public  
3 school for mentoring or related services provided during the  
4 regular school day or during the 196 days of required service  
5 for the school year.

6 (e) The district shall receive an amount equal to 50  
7 percent of the teacher bonuses provided under paragraph (c)  
8 and (d), which shall be used by the district for professional  
9 development of teachers. The district must give priority to  
10 using all funds received pursuant to this paragraph for  
11 professional development of teachers employed at schools  
12 identified as performing at critically low levels.

13  
14 A teacher for whom the state pays the certification fee and  
15 who does not complete the certification program or does not  
16 teach in a public school of this state for a least 1 year  
17 after completing the certification program must repay the  
18 amount of the certification fee to the state. However, a  
19 teacher who completes the certification program but fails to  
20 be awarded NBPTS certification is not required to repay the  
21 amount of the certification fee if the teacher meets the  
22 1-year teaching requirement. Repayment is not required of a  
23 teacher who does not complete the certification program or  
24 fails to fulfill the teaching requirement because of the  
25 teacher's death or disability or because of other extenuating  
26 circumstances as determined by the State Board of Education.

27 Section 2. Paragraph (a) of subsection (5) of section  
28 236.081, Florida Statutes, as amended by chapter 97-380, Laws  
29 of Florida, is amended to read:

30 236.081 Funds for operation of schools.--If the annual  
31 allocation from the Florida Education Finance Program to each

1 district for operation of schools is not determined in the  
2 annual appropriations act or the substantive bill implementing  
3 the annual appropriations act, it shall be determined as  
4 follows:

5 (5) CATEGORICAL PROGRAMS.--The Legislature hereby  
6 provides for the establishment of selected categorical  
7 programs to assist in the development and maintenance of  
8 activities giving indirect support to the programs previously  
9 funded. These categorical appropriations may be funded as  
10 general and transitional categorical programs. It is the  
11 intent of the Legislature that no transitional categorical  
12 program be funded for more than 4 fiscal years from the date  
13 of original authorization. Such programs are as follows:

14 (a) General.--

15 1. Comprehensive school construction and debt service  
16 as provided by law.

17 2. Community schools as provided by law.

18 3. School lunch programs as provided by law.

19 4. Instructional material funds as provided by law.

20 5. Student transportation as provided by law.

21 6. Student development services as provided by law.

22 7. Diagnostic and learning resource centers as  
23 provided by law.

24 8. Comprehensive health education as provided by law.

25 9. Excellent Teaching Program as provided by law.

26 (b) Transitional.--

27 1. Bilingual program as provided by law.

28 Section 3. Section 231.173, Florida Statutes, is  
29 amended to read:

30 231.173 Successful experienced out-of-state teachers  
31 and administrators.--

1           (1) Notwithstanding the provisions of ss. 231.02,  
2 231.15, and 231.17, ~~and 231.172~~ or any other provision of law  
3 or rule to the contrary, a successful, experienced, ~~and~~  
4 ~~certified~~ out-of-state teacher or administrator qualifies  
5 ~~employed in a public school or nonpublic school in this state~~  
6 ~~may qualify~~ for a professional certificate if the applicant:

7           (a)~~(1)~~ Completes the application process, including  
8 the filing of a complete set of fingerprints as required by s.  
9 231.02.

10           (b)~~(2)~~ Holds a valid standard certificate issued by  
11 the state where the applicant most recently taught, which  
12 standard certificate is equivalent to the professional  
13 certificate issued by this state and for which specialization  
14 coverage is based on a level of training comparable to that  
15 required in this state for the specialization coverage sought  
16 by the applicant ~~applicant's area of assignment~~.

17           (c)~~(3)~~ Documents 5 years of appropriate successful  
18 full-time teaching or administrative experience in another  
19 state, including 2 continuous years during the 5-year period  
20 immediately preceding the date of application for  
21 certification.

22           (2) An out-of-state applicant qualifies for a  
23 professional certificate if the applicant meets the  
24 requirements of paragraphs (1)(a) and (b) and holds a valid  
25 certificate issued by the National Board of Professional  
26 Teaching Standards.

27           ~~(4) Submits a request for issuance of the professional~~  
28 ~~certificate from the superintendent of the employing school~~  
29 ~~district or governing authority of the employing developmental~~  
30 ~~research school, state-supported school, or nonpublic school~~

31

1 ~~within the first 120 days of assignment with validation of~~  
2 ~~awareness of the standards of professional practice.~~

3       ~~(3)(5)~~ The professional certificate issued in  
4 accordance with subsection (1) ~~these provisions~~ shall reflect  
5 specialization coverages as follows:

6           (a) Teachers.--~~An applicant~~ A teacher appointed to an  
7 ~~academic assignment~~ shall be eligible for the academic  
8 coverage in an area in which the teacher is assigned to teach  
9 in a public school or nonpublic school in this state or in the  
10 area of the applicant's certification by the National Board of  
11 Professional Teaching Standards.

12           (b) Principals.--An individual appointed as an intern  
13 or interim principal of a public or nonpublic K-12 school in  
14 this state shall be eligible for the educational leadership  
15 coverage.

16           (c) Administrators of adult education.--An individual  
17 appointed as an administrator of an adult education program at  
18 a public or nonpublic school in this state shall be eligible  
19 for the administration of adult education coverage.

20           (d) Directors of career education.--An individual  
21 appointed as a director of career education at a public or  
22 nonpublic school in this state shall be eligible for the  
23 director of career education coverage.

24       Section 4. Subsection (2) and paragraph (b) of  
25 subsection (3) of section 231.24, Florida Statutes, are  
26 amended to read:

27       231.24 Process for renewal of professional  
28 certificates.--

29       (2) All professional certificates, except a  
30 nonrenewable professional certificate, shall be renewable for  
31 successive periods not to exceed 5 years after the date of



1 submission of documentation of completion of the requirements  
2 for renewal provided in subsection (3). Only one renewal may  
3 be granted during each 5-year validity period of a  
4 professional certificate, except that a teacher with national  
5 certification from the National Board for Professional  
6 Teaching Standards is deemed to meet state renewal  
7 requirements for the life of the teacher's national  
8 certificate. However, if the renewal application form is not  
9 received by the department or by the employing school district  
10 before the expiration of the professional certificate, the  
11 application form, application fee, and a late fee must be  
12 submitted before July 1 of the year following expiration of  
13 the certificate in order to renew the professional  
14 certificate. The state board shall adopt rules to allow a  
15 1-year extension of the validity period of a professional  
16 certificate in the event of serious illness, injury, or other  
17 extraordinary extenuating circumstances of the applicant. The  
18 department shall grant such 1-year extension upon written  
19 request by the applicant or by the superintendent of the local  
20 school district or the governing authority of a developmental  
21 research school, state-supported school, or nonpublic school  
22 that employs the applicant.

23 (3) For the renewal of a professional certificate, the  
24 following requirements must be met:

25 (b) In lieu of college course credit or inservice  
26 points, the applicant may renew a specialization area by  
27 passage of a state board approved subject area test, by  
28 completion of the national certification from the National  
29 Board for Professional Teaching Standards in that  
30 specialization area, or by completion of a department approved  
31 summer work program in a business or industry directly related

1 to an area of specialization listed on the certificate. The  
2 state board shall adopt rules providing for the approval  
3 procedure.

4 Section 5. Subsection (1) of section 110.1099, Florida  
5 Statutes, is amended to read:

6 110.1099 Education and training opportunities for  
7 state employees.--

8 (1) Education and training are an integral component  
9 in improving the delivery of services to the public.

10 Recognizing that the application of productivity-enhancing  
11 technology and practice demand continuous educational and  
12 training opportunities, state employees may be authorized to  
13 receive fundable tuition waivers on a space-available basis or  
14 vouchers to attend work-related courses at public  
15 universities. Student credit hours generated by state employee  
16 fee waivers shall be fundable credit hours.

17 Section 6. Subsection (4) of section 246.021, Florida  
18 Statutes, is amended to read:

19 246.021 Definitions.--As used in ss. 246.011-246.151,  
20 unless the context otherwise requires:

21 (4) "College" means any educational entity which  
22 confers or offers to confer a degree or which furnishes or  
23 offers to furnish instruction leading toward, or prerequisite  
24 to, college credit or a degree beyond the secondary level. The  
25 term includes any nonpublic college chartered in this state  
26 and any Florida center or branch campus of an out-of-state  
27 college.

28 Section 7. Subsection (2) of section 246.031, Florida  
29 Statutes, is amended to read:

30 246.031 State Board of Independent Colleges and  
31 Universities.--

1           (2) The State Board of Independent Colleges and  
2 Universities shall consist of nine citizens who are residents  
3 of this state, a majority of whom represent nonpublic  
4 ~~independent~~ colleges and universities within the state. ~~For~~  
5 ~~terms beginning after October 1, 1992,~~ Members shall be  
6 ~~residents of the state,~~ selected from the state at large ~~and~~.  
7 ~~Members~~ shall be appointed by the Governor and confirmed by  
8 the Senate. To be consistent with an independent rulemaking  
9 board, members, except members appointed pursuant to paragraph  
10 (e), must be employees, consultants, board members, or  
11 trustees of a nonpublic college or university that is under  
12 the State Board of Independent Colleges and Universities. At  
13 least one member must be appointed from each of the following  
14 categories:

15           (a) A college or university holding a certificate of  
16 exemption from licensure pursuant to s. 246.085(1)(a) and  
17 accredited by a regional accrediting agency.

18           (b) A college or university holding a certificate of  
19 exemption from licensure pursuant to s. 246.085(1)(a) and  
20 accredited by a national accrediting agency.

21           (c) A college or university licensed by the board  
22 pursuant to s. 246.087.

23           (d) A college or university holding a certificate of  
24 exemption from licensure pursuant to s. 246.085(1)(b) or a  
25 college or university issued an authorization pursuant to s.  
26 246.084.

27           (e) Lay citizens of the state who derive no income  
28 from a nonpublic college or university.

29

30 Accreditation of an institution pursuant to the requirements  
31 of this subsection must be by a regional or national

1 accrediting agency recognized by the United States Department  
2 of Education.

3 Section 8. Paragraphs (q) and (r) of subsection (1)  
4 and paragraph (g) of subsection (2) of section 246.041,  
5 Florida Statutes, are amended to read:

6 246.041 Powers and duties of board.--

7 (1) The board shall:

8 (q) To ensure comparability with licensure standards,  
9 review at least biennially the accreditation standards of  
10 agencies listed in s. 246.085(1)(a), and upon request and  
11 payment of an initial review fee, other accrediting agencies  
12 recognized by the United States Department of Education.  
13 ~~Annually review the accreditation standards of the Commission~~  
14 ~~on Colleges of the Southern Association of Colleges and~~  
15 ~~Schools, the Accrediting Council for Independent Colleges and~~  
16 ~~Schools at the junior or senior college of business level, and~~  
17 ~~the American Association of Bible Colleges, the Transnational~~  
18 ~~Association of Christian Colleges and Schools, and, upon~~  
19 ~~request, other Commission on Recognition of Postsecondary~~  
20 ~~Accreditation and United States Department of Education~~  
21 ~~recognized accrediting associations, to determine for each of~~  
22 ~~these accrediting bodies the comparability of the~~  
23 ~~accreditation standards with the minimum licensing~~  
24 ~~requirements of the board.~~

25 (r) Provide information and documentation on an annual  
26 basis to the Office of Student Financial Assistance of the  
27 Department of Education regarding the requirements set forth  
28 for nonpublic colleges in s. 240.605, relating to Florida  
29 resident access grants, s. 240.6055 ~~240.607~~, relating to  
30 access grants for community college graduates, and s. 240.609,  
31 relating to Florida postsecondary endowment grants.

1 (2) The board may:

2 (g) Following evaluation by the board, recommend to  
3 the Legislature any changes to the accrediting associations  
4 included in s. 246.085(1)(a). Accrediting associations  
5 included in s. 246.085(1)(a) shall be ~~Commission on~~  
6 ~~Recognition of Postsecondary Accreditation or United States~~  
7 Department of Education recognized accrediting associations  
8 whose standards are comparable with state licensing standards.

9 Section 9. Section 246.084, Florida Statutes, is  
10 amended to read:

11 246.084 Authorization.--

12 (1) A nonpublic college ~~which enrolls students, none~~  
13 ~~of whom receive state or federal financial aid for education,~~  
14 shall not be required to apply for a license upon compliance  
15 with this section and submission of data required by this  
16 section provided that none of the students of such college who  
17 are enrolled in Florida receive state or federal financial aid  
18 for education.

19 (a) Colleges receiving authorization under this  
20 section may only offer educational programs that prepare  
21 students for religious vocations as ministers, professionals,  
22 or laypersons in the following categories: ministry,  
23 counseling, theology, education, administration, music, fine  
24 arts, media communications, and social work.

25 (b) The religious vocation must predominantly appear  
26 on the face of the degree and on the college's transcript.

27 (c) The titles of degrees issued by the college must  
28 include a religious modifier which must immediately precede,  
29 or be included within, any of the following titles: Associate  
30 in Arts, Associate in Science, Bachelor of Arts, Bachelor of  
31 Science, Master of Arts, Master of Science, and Doctor of

1 Philosophy. The religious modifier must be placed on the title  
2 line of the degree.

3 (d) For purposes of this section, one semester credit  
4 hour of study is 15 academic hours or its equivalent. The  
5 following minimum credit hours are required for awarding the  
6 following degrees:

7 1. Associate degree, with no fewer than 60 semester  
8 hours or the equivalent.

9 2. Bachelor's degree, with no fewer than 120 semester  
10 hours or the equivalent.

11 3. Master's degree, with no fewer than 24 semester  
12 hours, or the equivalent, beyond the bachelor's degree.

13 4. Doctoral degree, with no fewer than 60 semester  
14 hours, or the equivalent, beyond the bachelor's degree.

15 (e) The following data must be submitted annually to  
16 the board: college name, address, telephone number, and  
17 accreditation, if any; denomination, church, or religious  
18 affiliation; list of all degree titles with their religious  
19 vocation major; and a current copy of the college's catalog  
20 and consumer practice information listed in paragraph (f).

21 (f) The board shall collect annually from each college  
22 authorized pursuant to this section the following descriptive  
23 inventory of consumer practices:

24 1. A description of the college's policies and  
25 procedures regarding the recruitment and admission of  
26 students.

27 2. The sources and kinds of financial assistance  
28 available and the specific manner by which students are  
29 informed of their responsibilities with respect to receiving  
30 assistance and repaying loans.

31

1           3. The placement assistance provided by the college,  
2 including any claims concerning job placement rates.

3           4. Copies of all advertising published on behalf of  
4 the college during the previous year. If the college claims  
5 accreditation, it shall indicate whether or not that  
6 accreditation is approved by the United States Department of  
7 Education and if such accreditation is disclosed in all  
8 advertisements.

9           5. A copy of the college's refund policy. The refund  
10 policy must provide students with a minimum of 3 working days  
11 from the date a student signs an enrollment contract or  
12 financial agreement with a college for the student to cancel  
13 the contract and receive a full refund of any tuition or  
14 registration fees paid. The refund policy must be prominently  
15 displayed on the contract form.

16           6. Evidence that the college has provided its students  
17 with a clear and specific statement regarding the  
18 transferability of credits to and from other colleges,  
19 institutes, seminaries, and universities.

20           (g) The college shall include with the data required  
21 by paragraphs (e) and (f), a sworn affidavit, signed by its  
22 chief administrative officer, affirming that the information  
23 submitted is accurate and no false data has knowingly and  
24 willingly been submitted, that the policies reported are  
25 provided in writing to all prospective students at least 1  
26 week before enrollment or collection of tuition fees, that the  
27 college observes the policies and practices as reported to the  
28 board, and that it complies with this section.

29           (h) The board shall set an annual review date for  
30 receiving data and assuring compliance with this section. The  
31 board shall give a college 60 days' notification of the annual

1 review date. After providing 30 days' notification, the board  
2 may impose a fine for every month the college receiving  
3 authorization under this section fails to provide the data  
4 required by paragraphs (e) and (f). The postmark on the  
5 envelope or package containing the notification serves as the  
6 date of notification.

7 (i) The following information must appear in the  
8 college's catalog or administrative bulletin: denomination,  
9 church, or religious affiliation; purpose or mission of the  
10 college; a list and description of all courses of study; a  
11 list of course descriptions; a list of all faculty members  
12 with their degrees; administrative officers and staff; all  
13 fees, charges, nonrefundable fees, and tuition; refund  
14 policies; transferability of credits to and from other  
15 colleges; accreditation, if any; whether or not the  
16 accrediting agency is recognized by the United States  
17 Department of Education; and the college's authorization  
18 status. A college receiving authorization under this section  
19 shall include the following statement in the purpose, mission,  
20 accreditation, or recognition statement in the catalog to  
21 clarify its statutory existence: "The degree programs of this  
22 college are designed solely for religious vocations."

23 (j) The name of the college shall include a religious  
24 modifier or the name of a religious patriarch, saint, person,  
25 or symbol of the church.

26 (2) A nonpublic college shall be exempt from the  
27 requirements of paragraphs (1)(b) and (c) if it complies with  
28 all other provisions of this section and with the minimum  
29 standards for licensure as provided for in rule. Verification  
30 of compliance with this section shall be accomplished by one  
31 of the following methods:



1           (a) By submission to the board of a finding of  
2 compliance by a group of individuals forming an education  
3 association pursuant to the following requirements:

4           1. Members of the association are citizens of the  
5 State of Florida.

6           2. The association is based in, and operates in, the  
7 State of Florida.

8           3. Members designated by the association shall receive  
9 training from the board staff, including participating in the  
10 evaluation of a minimum of two licensure cycles from initial  
11 application through regular licensure, complete with site  
12 visits and related board meetings. The association shall pay  
13 its members' expenses for training. Association members shall  
14 be exempt from these training requirements if the board  
15 determines that they have experience reviewing institutions  
16 with standards as rigorous as the board's minimum standards  
17 for licensure.

18           4. No more than two members of the review team shall  
19 derive income from the same nonpublic postsecondary collegiate  
20 institution or nonpublic postsecondary education association.

21           5. No member of the review team shall derive income  
22 from the institution being reviewed.

23           6. At least three members of the review team must have  
24 a minimum of 3 years' experience in postsecondary collegiate  
25 administration and have experience implementing standards as  
26 rigorous as the board's minimum standards for licensure.

27  
28 For each nonpublic college reviewed by the association, the  
29 association shall submit to the board a copy of all data  
30 required by statute and rule related to minimum standards for  
31 licensure. Such data shall be submitted at least 30 days

1 prior to the college's annual review date assigned by the  
2 board.

3 (b) By submission to the board of evidence of  
4 accreditation by a regional or national accrediting agency  
5 that is recognized by the United States Department of  
6 Education.

7 (c) By a finding of compliance by the board.

8 ~~Notwithstanding the provisions of paragraph (1)(c), a college~~  
9 ~~which complies with the provisions of this section and submits~~  
10 ~~to the board a sworn affidavit from a group formed pursuant to~~  
11 ~~s. 246.041(1)(f), certifying that the college complies with~~  
12 ~~the minimum standards for licensure as provided for in rule,~~  
13 ~~is not required to include a religious modifier in the title~~  
14 ~~of degrees issued by the college.~~

15 (3) The board shall enter into an agreement with a  
16 group of individuals forming an education association to  
17 oversee the review and collection of the data submitted  
18 pursuant to this section. However, nonpublic colleges and  
19 universities subject to this section may choose at any time to  
20 be under the State Board of Independent Colleges and  
21 Universities for review and collection of data. The  
22 association authorized by the board shall meet the following  
23 qualifications:

24 (a) Members of the association must be citizens of the  
25 State of Florida.

26 (b) The association shall be based in, and operate in,  
27 the State of Florida.

28 (c) Members designated by the association shall  
29 receive training from the board staff, including participating  
30 in the evaluation of a minimum of two authorization  
31 applications, complete with site visits and related board

1 meetings. The association shall pay its members' expenses for  
2 training. Association members shall be exempt from these  
3 training requirements if the board determines that they have  
4 experience reviewing institutions with standards as rigorous  
5 as the board's minimum standards for authorization.

6 (d) No more than two members of the review team shall  
7 derive income from the same nonpublic postsecondary collegiate  
8 institution or nonpublic postsecondary education association.

9 (e) No member of the review team shall derive income  
10 from the institution being reviewed.

11 (f) At least three members of the review team must  
12 have a minimum of 3 years' experience in postsecondary  
13 collegiate administration and have experience implementing  
14 standards as rigorous as the board's minimum standards for  
15 authorization.

16  
17 For each nonpublic college reviewed by the association, the  
18 association shall submit to the board a copy of all data  
19 required by statute related to standards for authorization.  
20 Such data shall be submitted at least 30 days prior to the  
21 college's annual review date assigned by the board.

22 (4)(3) The burden of determining compliance with this  
23 section shall rest with the board. Pursuant to s.  
24 246.041(1)(f), the board may enter into an agreement with an  
25 individual or group of individuals to oversee the review and  
26 collection of the data submitted pursuant to this section. The  
27 board may require further evidence and make such further  
28 investigation, in addition to the information submitted, as  
29 may be reasonably necessary in the board's judgment.

30

31

1           (5)~~(4)~~ If the board determines that a college meets  
2 the requirements of this section, the board shall issue the  
3 college an authorization.

4           (6)~~(5)~~ If at any time a college receiving  
5 authorization under this section fails to comply with this  
6 section, it shall be required to apply for a license pursuant  
7 to s. 246.081 within 30 days of the board's final action  
8 finding that the college is not authorized under this section.  
9 Final actions by the board may be taken only after two  
10 consecutive quarterly meetings. A notice of noncompliance  
11 with the specific requirements of this section shall precede  
12 the two quarterly meetings. A final noncompliance  
13 notification shall be sent by certified mail 30 days prior to  
14 the final action.

15           Section 10. Subsection (1) of section 246.085, Florida  
16 Statutes, is amended to read:

17           246.085 Certificate of exemption.--

18           (1) As an alternative to applying for a license from  
19 the board, the following nonpublic colleges may apply for a  
20 certificate of exemption from the board:

21           (a) Colleges chartered in Florida and accredited by:

- 22           1. The Commission on Colleges of the Southern  
23 Association of Colleges and Schools;
- 24           2. The Accrediting Council for Independent Colleges  
25 and Schools ~~at the junior or senior college of business level;~~
- 26           3. The Accrediting ~~American~~ Association of Bible  
27 Colleges;
- 28           4. The Transnational Association of Christian Colleges  
29 and Schools; or
- 30           5. An agency recognized by the United States  
31 Department of Education ~~Commission on Recognition of~~

1 ~~Postsecondary Accreditation~~ to accredit professional degree  
2 programs above the baccalaureate level when such agency has  
3 been evaluated pursuant to s. 246.041(1)(g) and determined by  
4 the board to have standards at least comparable to the board's  
5 licensure standards. A nonpublic college holding a  
6 certificate of exemption under this subparagraph shall only  
7 offer the degree program which is specifically covered in the  
8 grant of accreditation.

9  
10 Each nonpublic college seeking exemption pursuant to this  
11 paragraph shall submit to the board a current catalog and a  
12 letter from the recognized accrediting agency by whom the  
13 college is accredited, confirming the current accredited  
14 status of the college.

15 (b) Colleges chartered in this state, the credits or  
16 degrees of which are accepted for credit by at least three  
17 colleges that are fully accredited by an agency recognized by  
18 the United States Department of Education ~~a member of the~~  
19 ~~Commission on Recognition of Postsecondary Accreditation,~~  
20 which were exempt through this category of exemption prior to  
21 July 1, 1982, and which enroll no students who receive any  
22 state or federal financial aid for education. Each college  
23 seeking exemption pursuant to this paragraph shall submit to  
24 the board a current catalog and letters from the three  
25 colleges confirming acceptance of the credits.

26 Section 11. Paragraph (h) of subsection (5) of section  
27 246.101, Florida Statutes, is amended to read:

28 246.101 Fees.--

29 (5) The board shall assess fees to defray the cost of  
30 workload for board activities that are specific to certain  
31 colleges. Such workload activities must relate to:

1 (h) Review and collection of data submitted pursuant  
2 to s. 246.084 when the review and collection is performed by  
3 the board ~~rather than an individual or group pursuant to s.~~  
4 ~~246.084(3).~~

5 Section 12. Section 246.121, Florida Statutes, is  
6 amended to read:

7 246.121 Designation "college" or "university".--

8 (1) The use of the title "college" or "university" in  
9 combination with any series of letters, numbers, or words is  
10 restricted in this state to colleges as defined in s. 246.021  
11 which offer degrees as defined in s. 246.021 and fall into at  
12 least one of the following categories:

13 (a) A Florida public college, ~~public or nonpublic,~~  
14 ~~accredited by:~~

15 1. ~~The Commission on Colleges of the Southern~~  
16 ~~Association of Colleges and Schools;~~

17 2. ~~The Accrediting Commission for Independent Colleges~~  
18 ~~and Schools of the Career College Association at the junior or~~  
19 ~~senior college of business level;~~

20 3. ~~The American Association of Bible Colleges; or~~

21 4. ~~An agency recognized by the United States~~  
22 ~~Department of Education to accredit professional degree~~  
23 ~~programs above the baccalaureate level.~~

24 (b) A Florida or out-of-state college which has been  
25 in active operation and using the name since April 1, 1970.

26 (c) A college for which the board has issued a  
27 license, a certificate of exemption, or an authorization  
28 pursuant to the provisions of this chapter ~~Colleges chartered~~  
29 ~~in this state the credits or degrees of which are accepted for~~  
30 ~~credit by at least three colleges that are fully accredited by~~  
31 ~~a member of the Commission on Recognition of Postsecondary~~

1 ~~Accreditation, which were exempt prior to July 1, 1982, and~~  
2 ~~which enroll no students who receive any state or federal~~  
3 ~~financial aid for education.~~

4 ~~(2) A college for which the board has issued a license~~  
5 ~~or a certificate of exemption may use the title "college" or~~  
6 ~~"university" in combination with any series of letters,~~  
7 ~~numbers, or words if the college meets the standards set by~~  
8 ~~rule for use of the title "college" or "university," and if~~  
9 ~~the college has received approval by the board to use such~~  
10 ~~title.~~

11 ~~(2)(3)~~ If ~~such~~ a college is approved under subsection  
12 ~~(1)(2)~~ to use the designation "college" or "university," a  
13 branch or extension of that college may use the name of the  
14 parent college, but shall include an indication of the  
15 location of the branch or extension.

16 ~~(3)(4)~~ Any entity offering postsecondary educational  
17 courses or programs of study ~~beyond the elementary school~~  
18 ~~level~~ in Florida, whether or not college credit is awarded,  
19 shall be subject to the provisions of this section.

20 ~~(4)(5)~~ An entity shall not use the term "college" or  
21 "university" in its name in Florida without approval by the  
22 board, unless the board determines that its name is clearly  
23 and accurately descriptive of the services provided by the  
24 entity and is not one that may mislead the public.

25 Section 13. Paragraph (c) of subsection (2) of section  
26 246.31, Florida Statutes, is amended to read:

27 246.31 Institutional Assessment Trust Fund.--

28 (2) Funds from the trust fund shall be used for  
29 purposes including, but not limited to, the following:

30 (c) Educational programs for the benefit of current  
31 and prospective owners, administrators, agents, authorized

1 groups of individuals, and faculty of institutions receiving a  
2 license, a certificate of exemption, or an authorization  
3 ~~licensed~~ by the board.

4           Section 14. This act shall take effect July 1 of the  
5 year in which enacted.

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31