

By Senator Ring

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2009156__

1 A bill to be entitled
2 An act relating to nonpublic postsecondary educational
3 institutions; amending s. 1005.02, F.S.; defining the
4 term "academic degree"; amending s. 1005.31, F.S.;
5 requiring that a licensed independent postsecondary
6 educational institution notify the Commission for
7 Independent Education of changes in its accreditation
8 status; providing penalties for failure to provide the
9 notice; revising criteria concerning the standards by
10 which the commission evaluates institutions for
11 licensure; requiring that institutions become
12 accredited within a specified period after licensure;
13 requiring a licensed institution that is not
14 accredited to include certain information on the
15 institution's website; restricting the recognition of
16 academic degrees conferred by that institution;
17 requiring that the institution notify the Department
18 of Education and the Office of the Attorney General of
19 its progress in obtaining accreditation; requiring
20 that institutions maintain records and provide the
21 commission with information concerning nationally
22 recognized standards used to grant credit for a
23 student's prior work or life experience; requiring
24 compliance with laws concerning the reporting of crime
25 statistics; requiring that such reports be made
26 available to the public; requiring that the commission
27 maintain a list on its website concerning the
28 accreditation of institutions licensed by the
29 commission; requiring the Department of Education and

32-00040-09

2009156__

30 the Office of the Attorney General to maintain a link
31 to the commission's list on their respective websites;
32 amending s. 1005.38, F.S.; requiring that the
33 commission revoke the license or authorization of an
34 institution that does not meet requirements concerning
35 accreditation; providing an effective date.

36
37 Be It Enacted by the Legislature of the State of Florida:

38
39 Section 1. Present subsections (1) through (16) of section
40 1005.02, Florida Statutes, are redesignated as subsections (2)
41 through (17), respectively, and a new subsection (1) is added to
42 that section, to read:

43 1005.02 Definitions.—As used in this chapter, the term:

44 (1) "Academic degree" means a degree titled as an
45 associate, bachelor's, master's, or doctoral degree.

46 Section 2. Subsections (1) and (2) of section 1005.31,
47 Florida Statutes, are amended, and subsection (16) is added to
48 that section, to read:

49 1005.31 Licensure of institutions.—

50 (1) (a) Each college or school operating within this state
51 must obtain licensure from the commission unless the institution
52 is not under the commission's purview or jurisdiction as
53 provided in s. 1005.06.

54 (b) After licensure, each licensee is solely responsible
55 for notifying the commission in writing of:

56 1. Any change in the licensee's accreditation status.

57 2. The licensee's current mailing address and the location
58 of the institution. A licensee's failure to notify the

32-00040-09

2009156__

59 ~~commission of a change of address constitutes a violation of~~
60 ~~this paragraph, and the licensee may be disciplined by the~~
61 ~~commission.~~ Notwithstanding any other ~~provision of law,~~ service
62 by regular mail to a licensee's last known address of record
63 with the commission is ~~constitutes~~ adequate and sufficient
64 notice to the licensee for any official communication to the
65 licensee by the commission.

66 (c) A licensee may be disciplined by the commission for
67 failing to provide the notice required in paragraph (b).

68 (2) The commission shall develop minimum standards by which
69 to evaluate institutions for licensure. These standards must:

70 (a) Address ~~include at least~~ the institution's name,
71 financial stability, purpose, administrative organization,
72 admissions and recruitment, educational programs and curricula,
73 retention, completion, career placement, faculty, learning
74 resources, student personnel services, physical plant and
75 facilities, publications, and disclosure statements about the
76 status of the institution with respect to professional
77 certification and licensure.

78 (b) Require that an institution secure accreditation within
79 5 years after the date it is first licensed under this section,
80 except that if an institution is licensed on July 1, 2009, that
81 institution must obtain accreditation by July 2, 2014. An
82 institution that is licensed but not accredited shall promptly
83 seek and actively pursue accreditation.

84 1. During the period in which an institution is licensed
85 but not accredited, the institution shall disclose that
86 information on its website in a statement in a typeface that is
87 large enough to be easily readable. The statement may include

32-00040-09

2009156__

88 additional information such as accreditation is being sought;
89 however, the institution may not include a statement on its
90 website that the institution is licensed unless the statement
91 also specifies that the institution is not accredited.

92 2. The academic degrees conferred by an institution before
93 it secures accreditation may be recognized by other
94 postsecondary educational institutions in this state only if the
95 institution secures accreditation within the required period.

96 3. The institution must notify the Department of Education
97 and the Office of the Attorney General in writing concerning the
98 status of its progress in the accreditation process. The notice
99 must be provided monthly until accreditation is secured.

100 (c) Require that an institution use nationally recognized
101 standards in determining whether to grant a student credit for
102 previous work or life experience. Each institution shall provide
103 to the commission an annual report that specifies the credits
104 granted for such experience and documents any nationally
105 recognized standards used in granting the credits.

106 (d) Require compliance with state and federal laws that
107 require annual reporting of crime statistics. Each institution
108 shall make such report available to the public.

109
110 The commission may adopt rules to ensure that institutions
111 licensed under this section meet these standards in ways that
112 are appropriate to achieve the stated intent of this chapter,
113 including provisions for nontraditional or distance education
114 programs and delivery.

115 (16) The commission shall maintain on its website a current
116 list of the institutions that are licensed under this section

32-00040-09

2009156__

117 and that hold accreditation. The list must specify the
118 accrediting entity and whether such entity is recognized by the
119 United States Department of Education as a reliable authority as
120 to the quality of postsecondary education within the meaning of
121 the Higher Education Act of 1965, as amended. The Department of
122 Education and the Office of the Attorney General shall maintain
123 a link to the commission's list on their respective websites.

124 Section 3. Subsection (1) of section 1005.38, Florida
125 Statutes, is amended, to read:

126 1005.38 Actions against a licensee and other penalties.—

127 (1) The commission may deny, place on probation, or revoke
128 any provisional license, annual license, license ~~license~~ by
129 means of accreditation, agent's license, or other authorization
130 required by this chapter. The commission shall revoke the
131 license or other required authorization of an institution that
132 fails to become or remain accredited as required under s.
133 1005.31(2). The commission shall adopt rules for taking these
134 actions. The commission may impose an administrative fine of not
135 more than \$5,000 if an institution is on probation for a period
136 under conditions that require oversight by the commission or its
137 staff. The fine shall be deposited into the Institutional
138 Assessment Trust Fund.

139 Section 4. This act shall take effect July 1, 2009.