

HB 619

2009

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

Page 1 of 5

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb0619-00

29 | commission's list on their respective websites; amending
 30 | s. 1005.38, F.S.; requiring that the commission revoke the
 31 | license or authorization of an institution that does not
 32 | meet requirements concerning accreditation; providing an
 33 | effective date.

34 |

35 | Be It Enacted by the Legislature of the State of Florida:

36 |

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

41 | 1005.02 Definitions.--As used in this chapter, the term:

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

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

47 | 1005.31 Licensure of institutions.--

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

52 | (b) After licensure, each licensee is solely responsible
 53 | for notifying the commission in writing of:

54 | 1. Any change in the licensee's accreditation status.

55 | 2. The licensee's current mailing address and the location
 56 | of the institution. ~~A licensee's failure to notify the~~

HB 619

2009

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

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

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

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

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

83 1. During the period in which an institution is licensed
84 but not accredited, the institution shall disclose that

HB 619

2009

85 information on its website in a statement in a typeface that is
86 large enough to be easily readable. The statement may include
87 additional information such as accreditation is being sought;
88 however, the institution may not include a statement on its
89 website that the institution is licensed unless the statement
90 also specifies that the institution is not accredited.

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

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

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

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

108
109 The commission may adopt rules to ensure that institutions
110 licensed under this section meet these standards in ways that
111 are appropriate to achieve the stated intent of this chapter,
112 including provisions for nontraditional or distance education

HB 619

2009

113 programs and delivery.

114 (16) The commission shall maintain on its website a
115 current list of the institutions that are licensed under this
116 section and that hold accreditation. The list must specify the
117 accrediting entity and whether such entity is recognized by the
118 United States Department of Education as a reliable authority as
119 to the quality of postsecondary education within the meaning of
120 the Higher Education Act of 1965, as amended. The Department of
121 Education and the Office of the Attorney General shall maintain
122 a link to the commission's list on their respective websites.

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

125 1005.38 Actions against a licensee and other penalties.--

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

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