

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Higher Education Committee

BILL: SB 260

INTRODUCER: Senator Ring

SUBJECT: Nonpublic Postsecondary Education Institutions

DATE: April 1, 2011

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	Matthews	HE	Pre-meeting
2.			BC	
3.				
4.				
5.				
6.				

I. Summary:

The bill defines academic degree to mean a degree titled as an associate, bachelor’s, master’s, or doctoral degree. The bill:

- Requires each licensed institution to report (in writing) any changes in accreditation status to the Commission for Independent Education (CIE);
- Provides for disciplinary action for the failure of a licensed institution to notify the CIE of any changes in accreditation status;
- Requires all institutions that offer academic degrees to secure accreditation within five years of obtaining licensure from the CIE and requires institutions, that offer academic degrees and that are licensed on July 1, 2011, to secure accreditation by July 2, 2016;
- Requires licensed institutions seeking accreditation to report their progress in the accreditation process to the Department of Education (DOE) and the Attorney General (AG) on a monthly basis;
- Requires the CIE to maintain a current list of licensed institutions that hold accreditation on the CIE website; and
- Authorizes the CIE to revoke the license of an institution, offering academic degrees, that fails to become accredited or fails to remain accredited.

This bill amends ss. 744.1083, 1005.02, 1005.31, and 1005.38, Florida Statutes.

II. Present Situation:

The Commission for Independent Education (CIE)

Every private college or postsecondary school operating in Florida must be licensed by the CIE unless it is exempt from licensure under s. 1005.06, F.S.¹ Accreditation is not a requirement of licensure, and thus, CIE cannot revoke the license of an institution, offering academic degrees, which fails to become accredited or fails to remain accredited. However, licensed institutions are required to inform the CIE of changes to accreditation status. According to the DOE, approximately 22 percent of the degree-granting institutions (fewer than 40) that are currently licensed by the CIE are not accredited.

The CIE maintains information on its website about the accreditation of each institution; the information, however, is not presented as a “list.”

Section 1005.02(7), F.S., defines “degree” for purposes of licensure by the CIE to mean any educational credential that is generally taken to signify satisfactory completion of the requirements of an undergraduate, graduate, academic, educational, or professional program of study or any honorary credential conferred for meritorious recognition. At the undergraduate level, an institution may not award a degree for a program unless it includes a general education component as established by rule and at least 60 semester hours or 90 quarter hours of study or the equivalent.” There is currently no statutory definition for “academic degree.”

III. Effect of Proposed Changes:

For the purposes of licensure of private postsecondary institutions under ch. 1005, F.S., the bill defines academic degree as a degree titled as an associate, bachelor’s, master’s or doctoral degree. All institutions licensed by CIE that offer academic degrees would have to become accredited by 2016.

The bill requires licensed institutions to inform the CIE of any changes to accreditation status.

All currently licensed degree-granting institutions that are not accredited would be required to become accredited by July 2, 2016. Any newly licensed degree-granting institutions would be required to become licensed within five years of receiving licensure, and during the period when the institution was licensed but not accredited it would have to provide notice of that status on its website. The CIE would be required to monitor the institution’s progress during the accreditation process. The institution would have to notify the Attorney General of its progress in the accreditation process.

The DOE and the Attorney General would have to maintain links on their agency websites to the CIE’s list of accredited institutions. A methodology for maintaining a list of accredited institutions would need to be developed for the CIE website.

¹ Institutions that are exempt from licensure include those operated by the state or federal government; nursing, dentistry, real estate schools and any others requiring licensing under other chapters of the Florida Statutes; nonprofit independent colleges accredited by the Southern Association of Colleges and Schools; religious institutions, schools regulated by the Federal Aviation Administration; and institutions that were exempt from licensure prior to 2001.

The CIE would be authorized to revoke the license of an institution, offering academic degrees, that fails to become accredited or fails to remain accredited and would be required to develop new rules to implement the process for revoking an institution's license in that circumstance.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Private postsecondary academic degree granting institutions that are not accredited would incur the cost of accreditation or suffer the revocation of their license to operate in the state.

C. Government Sector Impact:

The DOE indicates that the CIE would be required to monitor the institution's progress during the accreditation process which would result in an increased workload.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

A. Committee Substitute – Statement of Substantial Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
