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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2015	.	
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The Committee on Higher Education (Gaetz) recommended the following:

Senate Amendment (with title amendment)

Delete lines 41 - 105

and insert:

Section 1. Section 1005.04, Florida Statutes, is amended to read:

1005.04 Fair consumer practices; federal student loan default rates.—

(1) Every institution that is under the jurisdiction of the commission or is exempt from the jurisdiction or purview of the



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11 commission pursuant to s. 1005.06(1)(c) or (f) and that either
12 directly or indirectly solicits for enrollment any student
13 shall:

14 (a) Disclose to each prospective student a statement of the
15 purpose of such institution, its educational programs and
16 curricula, a description of its physical facilities, its status
17 regarding licensure, its fee schedule and policies regarding
18 retaining student fees if a student withdraws, and a statement
19 regarding the transferability of credits to and from other
20 institutions. The institution shall make the required
21 disclosures in writing at least 1 week prior to enrollment or
22 collection of any tuition from the prospective student. The
23 required disclosures may be made in the institution's current
24 catalog;

25 (b) Use a reliable method to assess, before accepting a
26 student into a program, the student's ability to complete
27 successfully the course of study for which he or she has
28 applied;

29 (c) Inform each student accurately about financial
30 assistance and obligations for repayment of loans; describe any
31 employment placement services provided and the limitations
32 thereof; and refrain from promising or implying guaranteed
33 placement, market availability, or salary amounts;

34 (d) Maintain a federal student loan cohort default rate,
35 released during the fall of each academic year, below 30 percent
36 for 3 consecutive years or at or below 40 percent for any given
37 year. An institution eligible for a William L. Boyd, IV, Florida
38 Resident Access Grant pursuant to s. 1009.89 and an institution
39 eligible for an Access to Better Learning and Education Grant



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40 pursuant to s. 1009.891 whose federal student loan cohort
41 default rate exceeds these rates shall be ineligible to receive
42 payments from such grants for incoming students until the
43 institution's federal student loan cohort default rate falls
44 below the threshold. The commission shall revoke the license of
45 an institution under its jurisdiction whose federal student loan
46 cohort default rate exceeds the threshold. The commission may
47 not reinstate an institution's license until the institution's
48 federal student loan cohort default rate falls below the
49 threshold. An institution's ineligibility to receive such funds
50 or maintain a license is effective for the academic year
51 following the fall disclosure of the federal student loan cohort
52 default rate. The institution will remain ineligible for a
53 minimum of 1 academic year until the institution's federal
54 student loan cohort default rate falls below the threshold;

55 (e) Provide to prospective and enrolled students accurate
56 information regarding the relationship of its programs to state
57 licensure requirements for practicing related occupations and
58 professions in Florida;

59 (f)~~(e)~~ Ensure that all advertisements are accurate and not
60 misleading;

61 (g)~~(f)~~ Publish and follow an equitable prorated refund
62 policy for all students, and follow both the federal refund
63 guidelines for students receiving federal financial assistance
64 and the minimum refund guidelines set by commission rule;

65 (h)~~(g)~~ Follow the requirements of state and federal laws
66 that require annual reporting with respect to crime statistics
67 and physical plant safety and make those reports available to
68 the public; and



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69 (i)~~(h)~~ Publish and follow procedures for handling student
70 complaints, disciplinary actions, and appeals.

71 (2) In addition, institutions that are required to be
72 licensed by the commission shall disclose to prospective
73 students that additional information regarding the institution
74 may be obtained by contacting the Commission for Independent
75 Education, ~~Department of Education, Tallahassee.~~

76
77 ===== T I T L E A M E N D M E N T =====

78 And the title is amended as follows:

79 Delete lines 5 - 7

80 and insert:

81 default rate below a specified percentage; requiring
82 the Commission for Independent Education to revoke the
83 license of an institution whose federal student loan
84 cohort default rate exceeds the threshold percentage;
85 providing that an institution is ineligible to receive
86 certain grant payments or maintain a license, and
87 remains ineligible, until the