

1 A bill to be entitled
2 An act relating to nonpublic religious postsecondary
3 educational institutions; amending s. 1005.06, F.S.;
4 removing religious colleges from the list of
5 institutions specified as not being under the
6 jurisdiction or purview of the Commission for
7 Independent Education; creating s. 1005.12, F.S.;
8 providing legislative intent; providing requirements
9 that must be met by nonpublic religious postsecondary
10 educational institutions that operate without being
11 licensed by the commission; requiring such
12 institutions to provide a sworn affidavit with
13 specified information to the commission; requiring the
14 commission to provide such institutions annually with
15 a written notice of exemption from licensure and of
16 compliance with specified requirements; providing
17 methods for verifying such compliance; authorizing a
18 religious nongovernmental education association to
19 cooperate with the commission to determine whether a
20 nonpublic religious postsecondary educational
21 institution is in compliance; providing requirements
22 for such associations; requiring the commission to
23 send a specified notice to nonpublic religious
24 postsecondary educational institutions under certain
25 circumstances; requiring noncompliant institutions to

26 submit specified documentation, apply for a license,
 27 or cease operations within a specified timeframe;
 28 requiring that the employee or agent of the
 29 noncompliant institution who produced the sworn
 30 affidavit be subject to criminal penalties under
 31 certain circumstances; authorizing the commission to
 32 adopt rules; amending ss. 553.865, 1005.03, 1005.04,
 33 1005.21, and 1005.31, F.S.; conforming cross-
 34 references and provisions to changes made by the act;
 35 providing an effective date.

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

38
 39 **Section 1. Paragraph (f) of subsection (1) of section**
 40 **1005.06, Florida Statutes, is amended to read:**

41 1005.06 Institutions not under the jurisdiction or purview
 42 of the commission.—

43 (1) Except as otherwise provided in law, the following
 44 institutions are not under the jurisdiction or purview of the
 45 commission and are not required to obtain licensure:

46 ~~(f) A religious college may operate without governmental~~
 47 ~~oversight if the college annually verifies by sworn affidavit to~~
 48 ~~the commission that:~~

49 ~~1. The name of the institution includes a religious~~
 50 ~~modifier or the name of a religious patriarch, saint, person, or~~

51 ~~symbol of the church.~~

52 ~~2. The institution offers only educational programs that~~
53 ~~prepare students for religious vocations as ministers,~~
54 ~~professionals, or laypersons in the categories of ministry,~~
55 ~~counseling, theology, education, administration, music, fine~~
56 ~~arts, media communications, or social work.~~

57 ~~3. The titles of degrees issued by the institution cannot~~
58 ~~be confused with secular degree titles. For this purpose, each~~
59 ~~degree title must include a religious modifier that immediately~~
60 ~~precedes, or is included within, any of the following degrees:~~
61 ~~Associate of Arts, Associate of Science, Bachelor of Arts,~~
62 ~~Bachelor of Science, Master of Arts, Master of Science, Doctor~~
63 ~~of Philosophy, and Doctor of Education. The religious modifier~~
64 ~~must be placed on the title line of the degree, on the~~
65 ~~transcript, and whenever the title of the degree appears in~~
66 ~~official school documents or publications.~~

67 ~~4. The duration of all degree programs offered by the~~
68 ~~institution is consistent with the standards of the commission.~~

69 ~~5. The institution's consumer practices are consistent~~
70 ~~with those required by s. 1005.04.~~

71
72 ~~The commission may provide such a religious institution a letter~~
73 ~~stating that the institution has met the requirements of state~~
74 ~~law and is not subject to governmental oversight.~~

75 **Section 2. Section 1005.12, Florida Statutes, is created**

76 **to read:**

77 1005.12 Nonpublic religious postsecondary educational
78 institutions.-

79 (1) The Legislature intends that this section aid in
80 protecting the integrity of degrees, diplomas, and other
81 educational credentials offered by nonpublic religious
82 postsecondary educational institutions by providing for the
83 evaluation of minimum educational requirements to prohibit the
84 granting of false or misleading educational credentials and to
85 prohibit misleading literature, advertising, solicitation, or
86 representations by nonpublic religious postsecondary educational
87 institutions or their agents.

88 (2) Nonpublic religious postsecondary educational
89 institutions, such as religious colleges, operating under this
90 section without licensure are required to verify compliance with
91 fair consumer practice requirements under s. 1005.04 by sworn or
92 affirmed affidavit.

93 (3) A nonpublic religious postsecondary educational
94 institution may operate exempt from licensure in this state if
95 the institution annually provides to the commission by sworn
96 affidavit, either electronically or in print, all of the
97 following information or affirmations:

98 (a) The name of the institution, which must include a
99 religious modifier or the name of a religious patriarch, saint,
100 person, or symbol of the church.

101 (b) That the institution offers only educational programs
102 that prepare students for religious vocations as ministers,
103 professionals, or laypersons in the categories of ministry,
104 counseling, theology, education, administration, business,
105 accounting, finance, music, fine arts, media, social work, or
106 communications.

107 (c) The titles of any of the following degrees conferred
108 by the institution, which must include a religious modifier on
109 the title line of the degree, on the transcript, and whenever
110 the title of the degree appears in the institution's official
111 documents or publications:

- 112 1. Associate of Arts.
- 113 2. Associate of Science.
- 114 3. Bachelor of Arts.
- 115 4. Bachelor of Science.
- 116 5. Master of Arts.
- 117 6. Master of Science.
- 118 7. Doctor of Philosophy.
- 119 8. Doctor of Education.

120 (d) That the duration of all degree programs offered by
121 the institution is consistent with the standards of the
122 commission.

123 (e) That the institution's consumer practices are
124 consistent with those required by s. 1005.04.

125 (4) The commission shall annually provide the nonpublic

126 religious postsecondary educational institution with a written
127 notice stating that the institution is exempt from licensure and
128 has complied with the requirements of this section. The written
129 notice from the previous year remains effective until the
130 commission's workload permits its appropriate adjudication of a
131 subsequent year's sworn affidavit submitted by the institution.

132 (5) Verification of a nonpublic religious postsecondary
133 educational institution's compliance with this section may be
134 accomplished by one of the following methods:

135 (a) A finding of compliance by the commission after the
136 institution submits the required documentation in print or
137 electronically.

138 (b) A finding of compliance by the commission after the
139 institution submits the required documentation in print or
140 electronically through a commission-approved religious
141 nongovernmental education association that the commission may
142 cooperate with pursuant to s. 1005.22(1)(g) in administering its
143 duties under this section. In order to submit the required
144 documentation annually, in print or electronically, to the
145 commission on behalf of the institution being reviewed, a
146 religious nongovernmental education association approved by the
147 commission must:

148 1. Be based in and operate in this state and require its
149 members to reside in this state.

150 2. Ensure that its members are trained by the association

151 to verify compliance under this section.

152 3. Prohibit a member of the review team from deriving
153 income from the institution being reviewed.

154 (6) If a nonpublic religious postsecondary educational
155 institution has received from the commission a written notice of
156 compliance with this section and exemption from licensure, and
157 the institution subsequently fails to comply, the commission
158 must send the institution a notice of noncompliance that states
159 the circumstances under which the institution was found to have
160 been noncompliant, and the institution must do one of the
161 following within 45 days:

162 (a) Submit to the commission documentation correcting the
163 issues stated on the finding of noncompliance notice.

164 (b) Apply for a license pursuant to s. 1005.31(1)(a).

165 (c) Cease operating in this state.

166 (7) If the institution does not take the specified actions
167 pursuant to subsection (6), the employee or agent of the
168 institution who produced the sworn affidavit is subject to the
169 penalties provided in s. 837.012 for making a false statement on
170 a sworn affidavit.

171 (8) The commission may adopt rules to implement this
172 section.

173 **Section 3. Paragraph (i) of subsection (3) of section**
174 **553.865, Florida Statutes, is amended to read:**

175 553.865 Private spaces.—

176 (3) As used in this section, the term:

177 (i) "Postsecondary educational institution or facility"

178 means:

179 1. A state university as defined in s. 1000.21(9);

180 2. A Florida College System institution as defined in s.
181 1000.21(5);

182 3. A school district career center as described in s.
183 1001.44(3);

184 4. A college or university licensed by the Commission for
185 Independent Education pursuant to s. 1005.31(1)(a); or

186 5. An institution not under the jurisdiction or purview of
187 the commission as identified in s. 1005.06(1) or s. 1005.12 ~~s.~~
188 ~~1005.06(1)(b)-(f)~~.

189 **Section 4. Paragraph (e) of subsection (1) of section**
190 **1005.03, Florida Statutes, is amended to read:**

191 1005.03 Designation "college" or "university."—

192 (1) The use of the designation "college" or "university"
193 in combination with any series of letters, numbers, or words is
194 restricted in this state to colleges or universities as defined
195 in s. 1005.02 that offer degrees as defined in s. 1005.02 and
196 fall into at least one of the following categories:

197 (e) A college that meets the description of either s.
198 1005.06(1)(e) or s. 1005.12 ~~(f)~~.

199 **Section 5. Subsection (1) of section 1005.04, Florida**
200 **Statutes, is amended to read:**

201 1005.04 Fair consumer practices.—

202 (1) Every institution that is under the jurisdiction of
203 the commission or is exempt from the jurisdiction or purview of
204 the commission pursuant to s. 1005.06(1)(c) or s. 1005.12 ~~(f)~~
205 and that either directly or indirectly solicits for enrollment
206 any student shall:

207 (a) Disclose to each prospective student a statement of
208 the purpose of such institution, its educational programs and
209 curricula, a description of its physical facilities, its status
210 regarding licensure, its fee schedule and policies regarding
211 retaining student fees if a student withdraws, and a statement
212 regarding the transferability of credits to and from other
213 institutions. The institution shall make the required
214 disclosures in writing at least 1 week prior to enrollment or
215 collection of any tuition from the prospective student. The
216 required disclosures may be made in the institution's current
217 catalog;

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

222 (c) Inform each student accurately about financial
223 assistance and obligations for repayment of loans; describe any
224 employment placement services provided and the limitations
225 thereof; and refrain from promising or implying guaranteed

226 placement, market availability, or salary amounts;

227 (d) Provide to prospective and enrolled students accurate
228 information regarding the relationship of its programs to state
229 licensure requirements for practicing related occupations and
230 professions in Florida;

231 (e) Ensure that all advertisements are accurate and not
232 misleading;

233 (f) Publish and follow an equitable prorated refund policy
234 for all students, and follow both the federal refund guidelines
235 for students receiving federal financial assistance and the
236 minimum refund guidelines set by commission rule;

237 (g) Follow the requirements of state and federal laws that
238 require annual reporting with respect to crime statistics and
239 physical plant safety and make those reports available to the
240 public;

241 (h) Publish and follow procedures for handling student
242 complaints, disciplinary actions, and appeals; and

243 (i) Prior to enrollment, provide a written disclosure to a
244 student or prospective student of all fees and costs that will
245 be incurred by a student, the institution's refund policy, any
246 exit examination requirements, and the grade point average
247 required for completion of the student's program or degree. The
248 disclosure shall include a statement regarding the scope of
249 accreditation, if applicable. Institutions licensed by the
250 Commission for Independent Education shall disclose the

251 information required pursuant to this paragraph in a format
252 prescribed by the commission.

253 **Section 6. Paragraph (d) of subsection (2) of section**
254 **1005.21, Florida Statutes, is amended to read:**

255 1005.21 Commission for Independent Education.—

256 (2) The Commission for Independent Education shall consist
257 of seven members who are residents of this state. The commission
258 shall function in matters concerning independent postsecondary
259 educational institutions in consumer protection, program
260 improvement, and licensure for institutions under its purview.
261 The Governor shall appoint the members of the commission who are
262 subject to confirmation by the Senate. The membership of the
263 commission shall consist of:

264 (d) One representative of a college that meets the
265 criteria of s. 1005.12 ~~s. 1005.06(1)(f)~~.

266 **Section 7. Paragraph (a) of subsection (1) and subsection**
267 **(11) of section 1005.31, Florida Statutes, are amended to read:**

268 1005.31 Licensure of institutions.—

269 (1)(a) Each college or school operating within this state
270 must obtain licensure from the commission unless the institution
271 is not under the commission's purview or jurisdiction as
272 provided in s. 1005.06, or the institution meets the
273 requirements of s. 1005.12.

274 (11) The commission shall establish minimum standards for
275 the approval of agents. The commission may adopt rules to ensure

276 that licensed agents meet these standards and uphold the intent
277 of this chapter. An agent may not solicit prospective students
278 in this state for enrollment in any independent postsecondary
279 educational institution under the commission's purview or in any
280 out-of-state independent postsecondary educational institution
281 unless the agent has received a license as prescribed by the
282 commission or solicits for a postsecondary educational
283 institution that is not under the jurisdiction of the commission
284 pursuant to s. 1005.06(1)(g) ~~s. 1005.06(1)(h)~~.

285 **Section 8.** This act shall take effect October 1, 2025.