

By Senator Rodriguez

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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

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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:

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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~~

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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 with~~
70 ~~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 to
76 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.

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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 by
108 the institution, which must include a religious modifier on the
109 title line of the degree, on the transcript, and whenever the
110 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.

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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 the
121 institution is consistent with the standards of the commission.

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

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

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

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

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

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146 commission must:

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

149 2. Ensure that its members are trained by the association
150 to verify compliance under this section.

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

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

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

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

164 (c) Cease operating in this state.

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

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

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

174 553.865 Private spaces.-

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

176 (i) "Postsecondary educational institution or facility"

177 means:

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

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

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

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

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

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

190 1005.03 Designation "college" or "university."—

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

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

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

200 1005.04 Fair consumer practices.—

201 (1) Every institution that is under the jurisdiction of the
202 commission or is exempt from the jurisdiction or purview of the
203 commission pursuant to s. 1005.06(1)(c) or s. 1005.12 ~~(f)~~ and

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204 that either directly or indirectly solicits for enrollment any
205 student shall:

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

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

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

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

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

232 (f) Publish and follow an equitable prorated refund policy

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233 for all students, and follow both the federal refund guidelines
234 for students receiving federal financial assistance and the
235 minimum refund guidelines set by commission rule;

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

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

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

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

254 1005.21 Commission for Independent Education.—

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

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262 commission shall consist of:

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

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

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

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

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