

The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

HIGHER EDUCATION
Senator Oelrich, Chair
Senator Siplin, Vice Chair

MEETING DATE: Wednesday, January 25, 2012**TIME:** 3:30 —5:30 p.m.**PLACE:** 301 Senate Office Building**MEMBERS:** Senator Oelrich, Chair; Senator Siplin, Vice Chair; Senators Altman, Lynn, Negron, and Ring

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	SB 828 Wise (Similar H 925)	Faith-based Postsecondary Institutions; Authorizing a faith-based postsecondary education institution to operate without obtaining a license if it submits an affidavit of statutory compliance oversight to the Office of Independent Education and Parental Choice within the Department of Education by a specified date each year; requiring that the Office of Independent Education and Parental Choice or its contracted agent publish the affidavit form and a list of all faith-based postsecondary education institutions that have submitted the affidavit on its Internet website; providing prerequisites for entering a degree program at a faith-based postsecondary education institution; deleting provisions that authorize a religious college to operate without governmental oversight under certain circumstances, etc. HE 01/12/2012 Temporarily Postponed HE 01/25/2012 Fav/CS BC	Fav/CS Yeas 3 Nays 1
2	SB 1218 Alexander (Compare H 5201)	South Florida Community College; Renaming South Florida Community College as "South Florida State College", etc. HE 01/25/2012 Favorable BC	Favorable Yeas 4 Nays 0
Other Related Meeting Materials			

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 828

INTRODUCER: Senator Wise

SUBJECT: Faith-based Postsecondary Institutions

DATE: January 11, 2012

REVISED: _____

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

I. Summary:

Under the provisions of this bill, faith-based postsecondary institutions that are currently exempt from licensure by the Commission for Independent Education would no longer be exempt, but would not be required to be licensed. Rather, postsecondary, faith-based institutions whose students do not receive federal or state financial aid, except for veterans benefits, and institutions accredited by an agency that is not recognized by the United States Department of Education (U.S. DOE) could operate outside the scheme of licensure if they provided a sworn compliance statement to the Office of Independent Education and Parental Choice within the Florida Department of Education (DOE). Thus faith-based postsecondary institutions would report to a K-12 office instead of a postsecondary office. The bill requires the DOE to post the affidavit and a list of institutions on the Internet.

This bill amends ss. 1005.03, 1005.04, 1005.06, and 1005.21, of the Florida Statutes. The bill creates s. 1002.47, of the Florida Statutes.

II. Present Situation:

The Commission for Independent Education (CIE)

Chapter 1005, F.S., governs nonpublic postsecondary education, which include for-profit and non-profit institutions and degree-granting and non-degree-granting institutions. Under s. 1005.31, F.S., every college or postsecondary school operating in Florida must be licensed by the CIE unless the institution is exempt from licensure under s. 1005.06, F.S.¹ Many of these

¹ Postsecondary educational institutions that are not under the jurisdiction of the CIE and are not required to obtain licensure include: a state or federal institution; colleges, schools, or courses for professions requiring licensure such as nursing, dental

institutions are exempt from licensure because another oversight body is responsible for them or because they meet minimum requirements that, if followed, qualify them for exemption from licensure. Consumer protection is emphasized in Florida's governance structure for private postsecondary institutions. The CIE maintains on its website a list of licensed institutions showing the enrollment, graduation, and employment rates of students who attended the institution. The CIE investigates complaints against licensed institutions and produces findings of its investigation.

A religious college may operate without governmental oversight if it annually verifies to the CIE by sworn affidavit that:

- The name of the institution includes a religious modifier;
- The institution offers only educational programs that prepare students for religious vocations;
- The titles of the degrees issued include a religious modifier and cannot be confused with secular degree titles;
- The duration of the degree programs is consistent with the standards of the CIE; and
- The institution's consumer practices are consistent with those required of licensed institutions.

The Office of Independent Education and Parental Choice

Florida affords students in grades K-12 a variety of options for meeting the compulsory attendance requirements. Options outside of traditional public schools include:

- John M. McKay Scholarships for students with disabilities;
- Florida Tax Credit Scholarships for low-income students;
- Opportunity Scholarships for students in struggling public schools;
- Public charter schools;
- Virtual education;
- Magnet schools and career academies; and
- Home education.

All of the programs which fall under the purview of the DOE's Office of Independent Education and Parental Choice involve K-12 education. The office provides varying levels of oversight and information for three scholarship programs.² It administers the Charter School Program Grant and provides training and technical assistance to both charter schools and their sponsoring school districts. The office also provides general information to students, parents, school districts and other stakeholders regarding home education and magnet school options.

hygiene, or real estate brokers; private, non-profit colleges or universities located and chartered in Florida that are accredited by the Southern Association of Colleges and Schools to grant baccalaureate degrees and whose students are eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program; any institution that offers only avocational programs or courses, continuing education, or examination preparation programs or courses; any institution that was exempt from licensure prior to July 1, 1982 and was extended exemption in 2001, provided it maintains the original qualifying criteria; a religious college that offers only educational programs that prepare students for religious vocations; and any institution that is regulated by the Federal Aviation Administration, another agency of the Federal Government, or an agency of the state whose regulatory laws are similar in nature and purpose to those of the CIE.

² See ss. 1002.38, 1002.39, 1002.395, and 1002.421, F.S.

Private K-12 schools must register with the DOE by completing an annual survey each year.³ The law explicitly provides that submitting annual survey data and being listed in the directory of private schools should not be used by any private school to imply approval or accreditation by the state.⁴ The Office of Independent Education and Parental Choice receives the annual statements of compliance with these requirements and posts the names of the private schools on its website.⁵ The office is not required to verify the statements of compliance for private schools that are not involved in a scholarship program and it does not do so.⁶

The law also requires owners of private K-12 schools to undergo a criminal background check and makes it unlawful for a person convicted of a crime of moral turpitude to own or operate a private school.⁷ Additionally, a private school that becomes defunct must make provision for the transfer of students' permanent records to the district school board or a private school system or association of which the school was a member.⁸

The Attorney General

The State Constitution establishes the Attorney General as the chief legal officer of the state,⁹ and, as such, the Attorney General pursues legal matters that are of statewide importance. The State Constitution creates the Office of the Statewide Prosecutor in the Office of the Attorney General to prosecute violations of criminal laws occurring in two or more judicial circuits.¹⁰ The Attorney General does not oversee individual, private entities such as educational institutions.

III. Effect of Proposed Changes:

The faith-based postsecondary institutions that are currently exempt from licensure by the CIE would no longer be exempt, but would not be required to be licensed. Rather, postsecondary, faith-based institutions whose students do not receive federal or state financial aid, other than veteran's benefits, and institutions accredited by an agency that is not recognized by the U.S. DOE could operate outside the scheme of licensure if they provided a sworn compliance statement to the DOE's Office of Independent Education and Parental Choice by April 1 of each year. An institution may contract with an education association or certification agency to certify compliance with the requirements of the bill or submit the affidavit on its own. The bill requires the office, which currently administers K-12 choice programs only, to post the affidavit and a list of institutions on the Internet. The office must issue a letter of acknowledgement to an institution that has submitted an affidavit. The wording of the letter is established in the bill.

³ s. 1002.42, F.S. Private schools participating in scholarship programs are subject to the provisions of s. 1002.42, F.S., as well as s. 1002.421, F.S. *See also* ss. 1002.38, 1002.39, and 1002.395, F.S.

⁴ s. 1002.42(2)(h), F.S.

⁵ *See* <http://www.floridaschoolchoice.org/Information/PrivateSchoolDirectory/>. Additionally, the DOE is required to maintain and annually update a database of private K-12 schools which includes each school's name, address, and telephone number; the type of school; the names of administrative officers; enrollment by grade or special group (e.g., career education and exceptional child education); number of graduates; number of instructional and administrative personnel; number of days the school is in session; and such data as may be needed to meet the provisions of ss. 1002.42 and 1003.23(2), F.S., related to attendance and enrollment.

⁶ s. 1002.42(2)(h), F.S. E-mail, DOE, January 10, 2012, on file with the Senate Committee on Education Pre-K – 12.

⁷ s. 1002.42(2)(c), F.S.

⁸ s. 1002.42(3)(b), F.S.

⁹ Fla. Const., art. IV, s. 4(b).

¹⁰ *Id.*

The bill requires faith-based postsecondary institutions whose students receive state or federal financial aid, except for veteran's benefits, and institutions accredited by an accrediting agency recognized by the U.S. DOE to seek licensure. The bill does not, however, indicate whether licensure would be sought from the CIE or another licensing body.

The bill prescribes prerequisites for entering degree programs and establishes minimum numbers of credit hours for academic degrees. The bill does not restrict degree titles to those containing a religious modifier but makes provision for associate, bachelor's, master's, and doctoral degree programs. The bill establishes 14 titles that may be used for traditional seminary degrees. While most of the seminary degrees have religious modifiers, such as Master of Divinity and Doctor of Theology, some of the titles, such as Doctor of Education and Doctor of Philosophy are the same as secular degree titles.

The bill requires institutions that offer distance learning programs to approve all instructional materials provided to the students and to make the program available to students who require a nontraditional classroom-based education. The bill authorizes the academic year for distance learning to extend throughout the calendar year.

The bill requires an institution that is accredited by an agency that is not recognized by the United States Department of Education to include a disclaimer to that effect on its publications and website. An institution that issues a license must include on the license a disclaimer stating that the license is not issued by the state or a governmental entity.

Institutions must have policies for nondiscrimination, transfer of credit, and refund of tuition. The bill limits the refund period to 5 business days after the date of first payment and requires all other fees and charges to be listed as non-refundable.

The bill requires the Attorney General to investigate any complaint filed against a faith-based institution and to require the institution to comply with the affidavit required in s. 1002.47(1), F.S., which is created in the bill. The Attorney General is required to prohibit the institution from operating in Florida if it fails to comply with the affidavit.

The bill repeals s. 1005.06(1)(f), F.S., which exempts faith-based institutions from licensure by the CIE and deletes cross-references to such faith-based institutions in chapter 1005, F.S. The effect of the statutory changes to chapter 1005, F.S., is to:

- Remove faith-based postsecondary institutions from the CIE's jurisdiction;
- Remove faith-based postsecondary institutions from the restrictions on the use of the terms "college" and "university" to those that offer degrees;
- Delete the requirement that the faith-based postsecondary educational institutions must follow the CIE's Fair Consumer Practices; and
- Remove from the CIE membership a representative of an exempt, faith-based postsecondary institution and require instead a representative of a faith-based independent college or university licensed by the CIE.

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, faith-based postsecondary education institutions which currently submit an affidavit to the CIE would submit an affidavit to a different office within the DOE. Any cost for revisions to the affidavit likely would be minimal.

C. Government Sector Impact:

The DOE's Office of Independent Education and Parental Choice would incur the cost of overseeing postsecondary institutions, for which the office currently does not have responsibility. The costs would be associated with monitoring the affidavits submitted by institutions and developing and maintaining a website as required by the bill.

The Attorney General would incur the cost of responding to individual complaints about faith-based postsecondary education institutions, which currently is not one of the Attorney General's responsibilities.

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.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/25/2012	.	
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The Committee on Higher Education (Siplin) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1002.47, Florida Statutes, is created to
read:

1002.47 Faith-based postsecondary education institutions.-
(1) A faith-based postsecondary education institution may
operate without obtaining a license if the institution submits a
sworn or affirmed affidavit of statutory compliance oversight to
the Office of Independent Education and Parental Choice within
the Department of Education by April 1 of each calendar year.



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13 However, the institution must apply for a license to operate if
14 any student attending the institution is a Florida resident who
15 receives state or federal financial aid for education, excluding
16 students who receive compensation or pension benefits from the
17 Veterans Administration. A new institution may submit its
18 initial affidavit any time during the year, except that
19 subsequent affidavits must be submitted by April 1 of each
20 calendar year.

21 (2) The Office of Independent Education and Parental Choice
22 or its contracted agent shall:

23 (a) Publish on its Internet website the affidavit form and
24 a list of all faith-based postsecondary education institutions
25 that have submitted affidavits as required by this section.

26 (b) Issue a letter of acknowledgement to an institution
27 that has submitted an affidavit which states the following:

28
29 LETTER OF ACKNOWLEDGEMENT

30 The Office of Independent Education and Parental Choice
31 within the Department of Education has received your sworn or
32 affirmed affidavit of statutory compliance oversight which
33 indicates your commitment to the minimum standards set forth in
34 s. 1002.47, Florida Statutes. Your institution's name will be
35 published on the office's Internet website.

36 (3) A faith-based postsecondary education institution may
37 enter into a contract with and may designate an education
38 association located in the state or a certification agency that
39 verifies compliance with statutory oversight statutes, or an
40 individual agent may submit an affidavit of statutory compliance
41 oversight.



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(4) As a prerequisite for entering an associate of arts, associate of science, bachelor of arts, or bachelor of science degree program at a faith-based postsecondary education institution, a student must hold a high school diploma or high school equivalency diploma, unless the institution has a written ability-to-benefit admissions policy exempting the student from the prerequisite.

(5) One contact hour equals 50 minutes of scheduled instruction by a professor during an institution-approved class session or live streaming via Skype or a similar mode of instruction. One semester credit hour of study equals 15 academic hours or its equivalent and one-quarter credit hour of study equals 10 academic hours or its equivalent.

(6) (a) The minimum credit hours for college or university degrees are as follows:

1. For an associate degree, 60 semester hours or 90 quarter hours.

2. For a graduate of theology degree, 90 semester hours or 135 quarter hours.

3. For a bachelor's degree, 120 semester hours or 180 quarter hours.

4. For a master's degree, 30 semester hours or 45 quarter hours above the minimum credit hours required for a bachelor's degree, including a research thesis or project of 6 additional semester hours or 9 quarter hours.

5. For a doctorate degree, 30 semester hours or 45 quarter hours above the credit hours required for a master's degree, including a stringent research dissertation of 6 or more additional semester hours or 9 or more quarter hours.



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(b) The degree programs offered by a faith-based postsecondary education institution under subparagraphs (a)1., 2., and 3. must include liberal arts and general education courses that include humanities or fine arts, social and behavioral sciences, English or communications, history, philosophy, science or mathematics, and computer literacy when a student lacks computer proficiency.

(c) An institution offering college and university degree titles under subparagraphs (a)1.-5. which use the word "in" instead of "of," such as "Associate in Bible," "Bachelor's in Theology," or "Master's in Pastoral Studies," without the terms "Arts," "Science," or "Doctor in Biblical Studies," and degrees without the terms "Philosophy," "Theology," or "Education," are not required to include the liberal arts or general education course requirements under paragraph (b) and may not use the seminary degree titles listed under paragraph (7)(b).

(7)(a) The minimum credit hours for seminary graduate degrees are as follows:

1. For a seminary master's degree, 60 to 90 or more semester hours or 90 to 120 or more quarter hours, including a research thesis or project, above the minimum credit hours for a prerequisite bachelor's degree.

2. For a seminary doctorate degree, 60 to 90 or more semester hours or 90 to 120 or more quarter hours, including a stringent research dissertation or project, above the minimum credit hours for a seminary master's degree.

(b) The titles of traditional seminary graduate degrees are:

1. Master of Divinity;



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- 100 2. Master of Religious Education;
101 3. Master of Arts in Counseling, Pastoral Studies,
102 Religion, Religious Education;
103 4. Master of Sacred Music;
104 5. Master of Church Music;
105 6. Master of Theological Studies;
106 7. Master of Theology;
107 8. Master of Sacred Theology;
108 9. Doctor of Ministry;
109 10. Doctor of Missiology;
110 11. Doctor of Education;
111 12. Doctor of Musical Arts;
112 13. Doctor of Philosophy; and
113 14. Doctor of Theology.
114 (8) If a faith-based postsecondary education institution
115 offers a distance learning program, it must make the program
116 available to students who require a nontraditional classroom-
117 based education, including digital learning or any type of
118 learning that is facilitated by technology. The institution
119 shall evaluate and approve all instructional materials provided
120 to students through various modalities, along with structured
121 units of information, assigned exercises for practice, and
122 examinations to measure achievement. The academic year for
123 distance learning may be continuous throughout the calendar
124 year.
125 (9) A faith-based postsecondary education institution shall
126 include a disclaimer on its publications and Internet website if
127 the institution is accredited by an agency that is not
128 recognized by the United States Department of Education.



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(10) Any license issued by an institution under this section for the purpose of counseling, preaching, or teaching must include a disclaimer stating that the license is an ecclesiastical license and not a state-issued or government-issued license.

(11) Each institution shall have a:

(a) Nondiscrimination policy stating that it accepts single male and female students or married male and female students without respect to age, color, race, or national origin.

(b) Clear and specific policy regarding the transferability of credits to and from other postsecondary education institutions.

(c) Written refund policy stating that an enrolled student may receive a full refund of paid tuition only if the student notifies the institution within 5 business days after the date upon which the first payment receipt is issued by the institution. All other fees and charges must be listed as nonrefundable.

(12) If documentation is filed which states that a faith-based postsecondary education institution operating in the state has not complied with this section, the Office of Independent Education and Parental Choice shall issue a notice sent via certified mail which requires the institution to provide proof of compliance with the affidavit of statutory compliance oversight within 45 days after the date upon which the notice is sent. If the institution does not provide proof of compliance within the required period, it must cease operating in the state. The Office of Independent Education and Parental Choice shall publish on its Internet website a list of faith-based



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postsecondary education institutions that fail to provide the
proof of compliance as required in this subsection.

Section 2. Paragraph (e) of subsection (1) of section
1005.03, Florida Statutes, is amended to read:

1005.03 Designation "college" or "university".—

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

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

Section 3. Subsection (1) of section 1005.04, Florida
Statutes, is amended to read:

1005.04 Fair consumer practices.—

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

(a) Disclose to each prospective student a statement of the
purpose of the ~~such~~ institution, its educational programs and
curricula, a description of its physical facilities, its status
regarding licensure, its fee schedule and policies regarding
retaining student fees if a student withdraws, and a statement
regarding the transferability of credits to and from other
institutions. The institution shall make the required
disclosures in writing at least 1 week prior to enrollment or
collection of any tuition from the prospective student. The



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required disclosures may be made in the institution's current catalog;

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

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

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

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

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

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

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

Section 4. Subsection (1) of section 1005.06, Florida Statutes, is amended to read:



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

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

(a) Any postsecondary educational institution provided,
operated, or supported by this state, its political
subdivisions, or the Federal Government.

(b) Any college, school, or course licensed or approved for
establishment and operation under part I of chapter 464, chapter
466, or chapter 475, or any other chapter of the Florida
Statutes requiring licensing or approval as defined in this
chapter.

(c) Any institution that is under the jurisdiction of the
Department of Education, eligible to participate in the William
L. Boyd, IV, Florida Resident Access Grant Program and that is a
nonprofit independent college or university located and
chartered in this state and accredited by the Commission on
Colleges of the Southern Association of Colleges and Schools to
grant baccalaureate degrees.

(d) Any institution that offers only avocational programs
or courses, examination preparation programs or courses,
contract training programs or courses, continuing education, or
professional development programs or courses.

(e) Any institution that was exempt from licensure in 2001
under s. 246.085(1)(b), Florida Statutes 2001, as long as it
maintains these qualifying criteria: the institution is
incorporated in this state, the institution's credits or degrees
are accepted for credit by at least three colleges that are



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245 fully accredited by an agency recognized by the United States
246 Department of Education, the institution was exempt under that
247 category prior to July 1, 1982, and the institution does not
248 enroll any students who receive state or federal financial aid
249 for education. Such an institution shall notify the commission
250 and apply for licensure if it no longer meets these criteria.

251 ~~(f) A religious college may operate without governmental~~
252 ~~oversight if the college annually verifies by sworn affidavit to~~
253 ~~the commission that:~~

254 ~~1. The name of the institution includes a religious~~
255 ~~modifier or the name of a religious patriarch, saint, person, or~~
256 ~~symbol of the church.~~

257 ~~2. The institution offers only educational programs that~~
258 ~~prepare students for religious vocations as ministers,~~
259 ~~professionals, or laypersons in the categories of ministry,~~
260 ~~counseling, theology, education, administration, music, fine~~
261 ~~arts, media communications, or social work.~~

262 ~~3. The titles of degrees issued by the institution cannot~~
263 ~~be confused with secular degree titles. For this purpose, each~~
264 ~~degree title must include a religious modifier that immediately~~
265 ~~precedes, or is included within, any of the following degrees:~~
266 ~~Associate of Arts, Associate of Science, Bachelor of Arts,~~
267 ~~Bachelor of Science, Master of Arts, Master of Science, Doctor~~
268 ~~of Philosophy, and Doctor of Education. The religious modifier~~
269 ~~must be placed on the title line of the degree, on the~~
270 ~~transcript, and whenever the title of the degree appears in~~
271 ~~official school documents or publications.~~

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



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

276
277 ~~The commission may provide such a religious institution a letter~~
278 ~~stating that the institution has met the requirements of state~~
279 ~~law and is not subject to governmental oversight.~~

280 (f)~~(g)~~ Any institution that is regulated by the Federal
281 Aviation Administration, another agency of the Federal
282 Government, or an agency of the state whose regulatory laws are
283 similar in nature and purpose to those of the commission and
284 require minimum educational standards, for at least curriculum,
285 instructors, and academic progress and provide protection
286 against fraudulent, deceptive, and substandard education
287 practices.

288 Section 5. Subsection (2) of section 1005.21, Florida
289 Statutes, is amended to read:

290 1005.21 Commission for Independent Education.—

291 (2) The Commission for Independent Education shall consist
292 of seven members who are residents of this state. The commission
293 shall function in matters concerning independent postsecondary
294 educational institutions in consumer protection, program
295 improvement, and licensure for institutions under its purview.
296 The Governor shall appoint the members of the commission who are
297 subject to confirmation by the Senate. The membership of the
298 commission shall consist of:

299 (a) Two representatives of independent colleges or
300 universities licensed by the commission.

301 (b) Two representatives of independent, nondegree-granting
302 schools licensed by the commission.



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(c) One member from a public school district or Florida College System institution who is an administrator of career education.

(d) One representative of a faith-based postsecondary institution ~~college~~ that meets the criteria under ~~of~~ s. 1005.21(2)(a) ~~1005.06(1)(f)~~.

(e) One lay member who is not affiliated with an independent postsecondary educational institution.

Section 6. This act shall take effect July 1, 2012.

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

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled
An act relating to faith-based postsecondary institutions; creating s. 1002.47, F.S.; authorizing a faith-based postsecondary education institution to operate without obtaining a license if it submits an affidavit of statutory compliance oversight to the Office of Independent Education and Parental Choice within the Department of Education by a specified date each year; providing an exception; authorizing a new institution to submit its initial affidavit any time during the year; requiring that the Office of Independent Education and Parental Choice or its contracted agent publish the affidavit form and a list of all faith-based postsecondary education institutions that have submitted the affidavit on its



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Internet website; requiring that the office issue a letter of acknowledgement; authorizing an institution to enter into a contract with or designate an education association, certification agency, or an individual agent to submit the affidavit; providing prerequisites for entering a degree program at a faith-based postsecondary education institution; providing an exception if the institution has a written ability-to-benefit admissions policy; providing minimum credit hour requirements for certain degrees; providing that if an institution offers a distance learning program, it must make the program available to certain students; requiring that each institution include a disclaimer on its publications and Internet website if the institution is accredited by an agency that is not recognized by the United States Department of Education; requiring that any license issued by a faith-based postsecondary education institution for the purpose of counseling, preaching, or teaching include a disclaimer stating that the license is ecclesiastical and not state-issued or government-issued; requiring that each institution adopt certain policies regarding nondiscrimination, transferability of credits, and refunds; requiring that the Office of Independent Education and Parental Choice issue a notice requiring that an institution provide proof of compliance with the affidavit of statutory compliance oversight within a specified period if documentation is filed which



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states that the institution has not complied;
requiring that an institution cease operating in the
state if it does not provide proof of compliance
within the required period; requiring that the Office
of Independent Education and Parental Choice post on
its Internet website a list of faith-based
postsecondary education institutions that fail to
provide proof of compliance; amending ss. 1005.03 and
1005.04, F.S.; conforming cross-references to changes
made by the act; amending s. 1005.06, F.S.; deleting
provisions that authorize a religious college to
operate without governmental oversight under certain
circumstances; amending s. 1005.21, F.S., relating to
the Commission for Independent Education; conforming
terminology and a cross-reference; providing an
effective date.



636690

LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
01/25/2012	.	
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The Committee on Higher Education (Lynn) recommended the following:

Senate Substitute for Amendment (732322) (with title amendment)

Delete everything after the enacting clause and insert:

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

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

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



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(f) A faith-based postsecondary institution whose president or other administrative official religious college may operate without governmental oversight if the college annually verifies by sworn affidavit to the commission that the institution is in compliance with the following requirements:

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

~~1.2.~~ The institution offers only educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the categories of ministry, counseling, theology, education, administration, music, fine arts, media communications, or social work.

~~2.3.~~ The institution acknowledges that it will not be exempt from licensure and must seek licensure by the commission if it confers ~~The titles of degrees issued by the institution cannot be confused with secular degree titles. For this purpose, each degree title must include a religious modifier that immediately precedes, or is included within, any of the following degrees: Associate of Arts, Associate of Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, Doctor of Philosophy, and Doctor of Education. The religious modifier must be placed on the title line of the degree, on the transcript, and whenever the title of the degree appears in official school documents or publications.~~

~~3.4.~~ The duration of all degree programs offered by the institution is consistent with the standards of the commission.

~~4.5.~~ The institution's consumer practices are consistent with those required by s. 1005.04.



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42
43 Within 60 days after receipt of a faith-based postsecondary
44 institution's sworn affidavit, the commission ~~must~~ may provide
45 the ~~such a religious~~ institution with a letter stating that the
46 institution has submitted a sworn affidavit stating that it
47 meets ~~met~~ the requirements of this paragraph. The commission
48 shall post the name and address of the institution on the
49 commission's Internet website along with a statement
50 acknowledging that the institution has submitted the required
51 sworn affidavit ~~state law and is not subject to governmental~~
52 ~~oversight.~~

53 Section 2. This act shall take effect July 1, 2012.

54
55 ===== T I T L E A M E N D M E N T =====

56 And the title is amended as follows:

57 Delete everything before the enacting clause
58 and insert:

59 A bill to be entitled

60 An act relating to faith-based postsecondary
61 institutions; amending s. 1005.06, F.S.; revising the
62 requirements by which a faith-based postsecondary
63 institution may be exempt from licensure by the
64 Commission on Independent Education; deleting
65 provisions requiring that an institution have a
66 religious modifier in the institution's name and the
67 titles of degrees that it offers; requiring that the
68 commission acknowledge receipt of an institution's
69 sworn affidavit within a specified period and post the
70 institution's name and address on the commission's



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71 Internet website along with a statement acknowledging
72 that the institution has submitted the required sworn
73 affidavit; providing an effective date.

By Senator Wise

5-00481A-12

2012828__

1 A bill to be entitled
 2 An act relating to faith-based postsecondary
 3 institutions; creating s. 1002.47, F.S.; authorizing a
 4 faith-based postsecondary education institution to
 5 operate without obtaining a license if it submits an
 6 affidavit of statutory compliance oversight to the
 7 Office of Independent Education and Parental Choice
 8 within the Department of Education by a specified date
 9 each year; providing an exception; authorizing a new
 10 institution to submit its initial affidavit any time
 11 during the year; requiring that the Office of
 12 Independent Education and Parental Choice or its
 13 contracted agent publish the affidavit form and a list
 14 of all faith-based postsecondary education
 15 institutions that have submitted the affidavit on its
 16 Internet website; requiring that the office issue a
 17 letter of acknowledgement; authorizing an institution
 18 to enter into a contract with or designate an
 19 education association, certification agency, or an
 20 individual agent to submit the affidavit; providing
 21 prerequisites for entering a degree program at a
 22 faith-based postsecondary education institution;
 23 providing an exception if the institution has a
 24 written ability-to-benefit admissions policy;
 25 providing minimum credit hour requirements for certain
 26 degrees; providing that if an institution offers a
 27 distance learning program, it must make the program
 28 available to certain students; requiring that each
 29 institution include a disclaimer on its publications

Page 1 of 13

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

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30 and Internet website if the institution is accredited
 31 by an agency that is not recognized by the United
 32 States Department of Education; requiring that any
 33 license issued by a faith-based postsecondary
 34 education institution for the purpose of counseling,
 35 preaching, or teaching include a disclaimer stating
 36 that the license is ecclesiastical and not state-
 37 issued or government-issued; requiring that each
 38 institution adopt certain policies regarding
 39 nondiscrimination, transferability of credits, and
 40 refunds; requiring that the Attorney General
 41 investigate any complaint filed against an institution
 42 and require the institution to comply with the law or
 43 prohibit the institution from operating in the state;
 44 amending ss. 1005.03 and 1005.04, F.S.; conforming
 45 cross-references to changes made by the act; amending
 46 s. 1005.06, F.S.; deleting provisions that authorize a
 47 religious college to operate without governmental
 48 oversight under certain circumstances; amending s.
 49 1005.21, F.S., relating to the Commission for
 50 Independent Education; conforming terminology and a
 51 cross-reference; providing an effective date.

52
 53 Be It Enacted by the Legislature of the State of Florida:

54
 55 Section 1. Section 1002.47, Florida Statutes, is created to
 56 read:

57 1002.47 Faith-based postsecondary education institutions.—
 58 (1) A faith-based postsecondary education institution may

Page 2 of 13

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

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 59 operate without obtaining a license if the institution submits a
 60 sworn or affirmed affidavit of statutory compliance oversight to
 61 the Office of Independent Education and Parental Choice within
 62 the Department of Education by April 1 of each calendar year.
 63 However, the institution must apply for a license to operate if
 64 any student attending the institution receives state or federal
 65 financial aid for education, excluding students who receive
 66 compensation or pension benefits from the Veterans
 67 Administration and institutions that are accredited by an
 68 accrediting agency recognized by the United States Department of
 69 Education. A new institution may submit its initial affidavit
 70 any time during the year, except that subsequent affidavits must
 71 be submitted by April 1 of each calendar year.

72 (2) The Office of Independent Education and Parental Choice
 73 or its contracted agent shall:

74 (a) Publish on its Internet website the affidavit form and
 75 a list of all faith-based postsecondary education institutions
 76 that have submitted affidavits as required by this section.

77 (b) Issue a letter of acknowledgement to an institution
 78 that has submitted an affidavit which states the following:

79 LETTER OF ACKNOWLEDGEMENT

80 The Office of Independent Education and Parental
 81 Choice within the Department of Education has received
 82 your sworn or affirmed affidavit of statutory
 83 compliance oversight which indicates your commitment
 84 to the minimum standards set forth in s. 1002.47,
 85 Florida Statutes. Your institution's name will be
 86 published on the office's Internet website.
 87

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 88 (3) A faith-based postsecondary education institution may
 89 enter into a contract with and may designate an education
 90 association located in the state or a certification agency that
 91 verifies compliance with statutory oversight statutes, or an
 92 individual agent may submit an affidavit of statutory compliance
 93 oversight.

94 (4) As a prerequisite for entering an associate of arts,
 95 associate of science, bachelor of arts, or bachelor of science
 96 degree program at a faith-based postsecondary education
 97 institution, a student must hold a high school diploma or high
 98 school equivalency diploma, unless the institution has a written
 99 ability-to-benefit admissions policy exempting the student from
 100 the prerequisite.

101 (5) One contact hour equals 50 minutes of scheduled
 102 instruction by a professor during an institution-approved class
 103 session or live streaming via Skype or a similar mode of
 104 instruction. One semester credit hour of study equals 15
 105 academic hours or its equivalent and one-quarter credit hour of
 106 study equals 10 academic hours or its equivalent.

107 (6) (a) The minimum credit hours for college or university
 108 degrees are as follows:

109 1. For an associate degree, 60 semester hours or 90 quarter
 110 hours.

111 2. For a graduate of theology degree, 90 semester hours or
 112 135 quarter hours.

113 3. For a bachelor's degree, 120 semester hours or 180
 114 quarter hours.

115 4. For a master's degree, 30 semester hours or 45 quarter
 116 hours above the minimum credit hours required for a bachelor's

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degree, including a research thesis or project of 6 additional semester hours or 9 quarter hours.

5. For a doctorate degree, 30 semester hours or 45 quarter hours above the credit hours required for a master's degree, including a stringent research dissertation of 6 or more additional semester hours or 9 or more quarter hours.

(b) The degree programs offered by a faith-based postsecondary education institution under subparagraphs (a)1., 2., and 3. must include liberal arts and general education courses that include humanities or fine arts, social and behavioral sciences, English or communications, history, philosophy, science or mathematics, and computer literacy when a student lacks computer proficiency.

(c) An institution offering college and university degree titles under subparagraphs (a)1.-5. which use the word "in" instead of "of," such as "Associate in Bible," "Bachelor's in Theology," or "Master's in Pastoral Studies," without the terms "Arts," "Science," or "Doctor in Biblical Studies," and degrees without the terms "Philosophy," "Theology," or "Education," are not required to include the liberal arts or general education course requirements under paragraph (b) and may not use the seminary degree titles listed under paragraph (7)(b).

(7)(a) The minimum credit hours for seminary graduate degrees are as follows:

1. For a seminary master's degree, 60 to 90 or more semester hours or 90 to 120 or more quarter hours, including a research thesis or project, above the minimum credit hours for a prerequisite bachelor's degree.

2. For a seminary doctorate degree, 60 to 90 or more

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semester hours or 90 to 120 or more quarter hours, including a stringent research dissertation or project, above the minimum credit hours for a seminary master's degree.

(b) The titles of traditional seminary graduate degrees are:

1. Master of Divinity;

2. Master of Religious Education;

3. Master of Arts in Counseling, Pastoral Studies, Religion, Religious Education;

4. Master of Sacred Music;

5. Master of Church Music;

6. Master of Theological Studies;

7. Master of Theology;

8. Master of Sacred Theology;

9. Doctor of Ministry;

10. Doctor of Missiology;

11. Doctor of Education;

12. Doctor of Musical Arts;

13. Doctor of Philosophy; and

14. Doctor of Theology.

(8) If a faith-based postsecondary education institution offers a distance learning program, it must make the program available to students who require a nontraditional classroom-based education, including digital learning or any type of learning that is facilitated by technology. The institution shall evaluate and approve all instructional materials provided to the students through various modalities, along with structured units of information, assigned exercises for practice, and examinations to measure achievement. The academic

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year for distance learning may be continuous throughout the
calendar year.

(9) A faith-based postsecondary education institution shall
include a disclaimer on its publications and Internet website if
the institution is accredited by an agency that is not
recognized by the United States Department of Education.

(10) Any license issued by an institution under this
section for the purpose of counseling, preaching, or teaching
must include a disclaimer stating that the license is an
ecclesiastical license and not a state-issued or government-
issued license.

(11) Each institution shall have a:

(a) Nondiscrimination policy stating that it accepts single
male and female students or married male and female students
without respect to age, color, race, or national origin.

(b) Clear and specific policy regarding the transferability
of credits to and from other postsecondary education
institutions.

(c) Written refund policy stating that an enrolled student
may receive a full refund of paid tuition only if the student
notifies the institution within 5 business days after the date
upon which the first payment receipt is issued by the
institution. All other fees and charges must be listed as
nonrefundable.

(12) If a complaint is filed against any faith-based
postsecondary education institution for failure to comply with
this section, the Attorney General shall investigate the
complaint and require that the institution comply with the
affidavit of statutory compliance oversight or prohibit the

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institution from operating in the state.

Section 2. Paragraph (e) of subsection (1) of section
1005.03, Florida Statutes, is amended to read:

1005.03 Designation "college" or "university".-

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

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

Section 3. Subsection (1) of section 1005.04, Florida
Statutes, is amended to read:

1005.04 Fair consumer practices.-

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

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

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233 catalog;

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

238 (c) Inform each student accurately about financial
239 assistance and obligations for repayment of loans; describe any
240 employment placement services provided and the limitations
241 thereof; and refrain from promising or implying guaranteed
242 placement, market availability, or salary amounts;

243 (d) Provide to prospective and enrolled students accurate
244 information regarding the relationship of its programs to state
245 licensure requirements for practicing related occupations and
246 professions in Florida;

247 (e) Ensure that all advertisements are accurate and not
248 misleading;

249 (f) Publish and follow an equitable prorated refund policy
250 for all students, and follow both the federal refund guidelines
251 for students receiving federal financial assistance and the
252 minimum refund guidelines set by commission rule;

253 (g) Follow the requirements of state and federal laws that
254 require annual reporting with respect to crime statistics and
255 physical plant safety and make those reports available to the
256 public; and

257 (h) Publish and follow procedures for handling student
258 complaints, disciplinary actions, and appeals.

259 Section 4. Subsection (1) of section 1005.06, Florida
260 Statutes, is amended to read:

261 1005.06 Institutions not under the jurisdiction or purview

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262 of the commission.-

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

266 (a) Any postsecondary educational institution provided,
267 operated, or supported by this state, its political
268 subdivisions, or the Federal Government.

269 (b) Any college, school, or course licensed or approved for
270 establishment and operation under part I of chapter 464, chapter
271 466, or chapter 475, or any other chapter of the Florida
272 Statutes requiring licensing or approval as defined in this
273 chapter.

274 (c) Any institution that is under the jurisdiction of the
275 Department of Education, eligible to participate in the William
276 L. Boyd, IV, Florida Resident Access Grant Program and that is a
277 nonprofit independent college or university located and
278 chartered in this state and accredited by the Commission on
279 Colleges of the Southern Association of Colleges and Schools to
280 grant baccalaureate degrees.

281 (d) Any institution that offers only avocational programs
282 or courses, examination preparation programs or courses,
283 contract training programs or courses, continuing education, or
284 professional development programs or courses.

285 (e) Any institution that was exempt from licensure in 2001
286 under s. 246.085(1)(b), Florida Statutes 2001, as long as it
287 maintains these qualifying criteria: the institution is
288 incorporated in this state, the institution's credits or degrees
289 are accepted for credit by at least three colleges that are
290 fully accredited by an agency recognized by the United States

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Department of Education, the institution was exempt under that category prior to July 1, 1982, and the institution does not enroll any students who receive state or federal financial aid for education. Such an institution shall notify the commission and apply for licensure if it no longer meets these criteria.

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

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

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

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

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

~~5. The institution's consumer practices are consistent with~~

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~~those required by s. 1005.04.~~

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

~~(f)(g)~~ Any institution that is regulated by the Federal Aviation Administration, another agency of the Federal Government, or an agency of the state whose regulatory laws are similar in nature and purpose to those of the commission and require minimum educational standards, for at least curriculum, instructors, and academic progress and provide protection against fraudulent, deceptive, and substandard education practices.

Section 5. Subsection (2) of section 1005.21, Florida Statutes, is amended to read:

1005.21 Commission for Independent Education.—

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

(a) Two representatives of independent colleges or universities licensed by the commission.

(b) Two representatives of independent, nondegree-granting schools licensed by the commission.

(c) One member from a public school district or Florida

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349 College System institution who is an administrator of career
350 education.

351 (d) One representative of a faith-based postsecondary
352 institution ~~college~~ that meets the criteria under ~~of~~ s.
353 1005.21(2)(a) ~~1005.06(1)(f)~~.

354 (e) One lay member who is not affiliated with an
355 independent postsecondary educational institution.

356 Section 6. This act shall take effect July 1, 2012.

THE FLORIDA SENATE
APPEARANCE RECORD

Spoke

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

Jan 25, 2012
Meeting Date

Topic Faith-based postsecondary

Bill Number SB 825
(if applicable)

Name Dr Earle E. Lee

Amendment Barcode _____
(if applicable)

Job Title President

Address 41 N. 20th Street, #17
Street

Phone _____

Haines City FL 33844
City State Zip

E-mail _____

Speaking: ☒ For ☐ Against ☐ Information

Representing Florida Council at Private Colleges

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

Spoke

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

1-25-12

Meeting Date

Topic Faith Based Post-Secondary Edu

Bill Number S-B 828
(if applicable)

Name Dr. Gene A. Youngblood

Amendment Barcode _____
(if applicable)

Job Title President

Address 12021 Old St. Augustine Rd.
Street

Phone 804-262-8275

Jacksonville FL.
City State Zip

E-mail president@Conservative.Edu

Speaking: ☒ For ☐ Against ☐ Information

Representing Conservative Theological University

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/20/11)

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 1218

INTRODUCER: Senator Alexander

SUBJECT: South Florida Community College

DATE: January 24, 2012

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Harkey	deMarsh-Mathues	HE	Favorable
2.			BC	
3.				
4.				
5.				
6.				

I. Summary:

This bill would codify the name of South Florida State College.

This bill amends s. 1000.21, Florida Statutes.

II. Present Situation:

A community college district board of trustees may change its institutional name by using the designation “college” or “state college” after meeting either of the following sets of criteria:

- If the college has been authorized to grant baccalaureate degrees and has been accredited as a baccalaureate degree granting institution by the Commission on Colleges of the Southern Association of Colleges and Schools (SACS), the board of trustees may approve changing the institution’s name and use the designation college or state college.¹
- If the college has not been authorized to grant baccalaureate degrees or has not been accredited by SACS, the college board of trustees must request approval of the name change from the State Board of Education (SBE) and must enter into an agreement with the SBE to do the following:
 - Maintain as its primary mission responsibility for responding to community needs for postsecondary academic education and career degree education;
 - Maintain an open-door admissions policy for associate-level degree programs and workforce education programs;
 - Continue to provide outreach to underserved populations;

¹ s. 1001.60(2)(b)1., F.S.

- Continue to provide remedial education; and
- Comply with all provisions of the statewide articulation agreement that relate to 2-year and 4-year public degree-granting institutions as adopted by the SBE.

After a name change has been approved, the institution's board of trustees must seek codification of the name change in the next regular session of the Legislature.²

South Florida Community College has begun the process of meeting the first set of criteria. On September 20, 2011, the SBE authorized South Florida Community College to grant a Bachelor of Applied Science degree in Supervision and Management. On September 28, 2011, the college applied to the SACS Commission on Colleges for accreditation as a baccalaureate-degree granting institution. Also on September 28, 2012, the board of trustees voted to change the college's name to South Florida State College, effective July 1, 2012. The college was informed by SACS in December 2011, that the application would not be considered at the association's December 2011 meeting because of the absence of a required form. In January 2012, the college was informed in writing that the SACS Commission on Colleges will consider the application at its June 2012 meeting. Pending the approval by SACS, the college plans to admit students to the baccalaureate program in Applied Science in August 2012.

In keeping with the requirement in s. 1001.60(2)(c), F.S., that a board of trustees must seek codification of the institutional name in the next regular legislative session following the trustee's approval of the change, this bill would codify the name change approved by the board of trustees on September 28, 2011.

III. Effect of Proposed Changes:

This bill would codify the name of South Florida State College.

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.

² s. 1001.60(2)(c), F.S.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The South Florida State College may incur costs for name change in signage, publications, documentation, and other related items. Payments of such costs, if any, will be the responsibility of the college.

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.

By Senator Alexander

17-00901-12

20121218__

1 A bill to be entitled
2 An act relating to South Florida Community College;
3 amending s. 1000.21, F.S.; renaming South Florida
4 Community College as "South Florida State College";
5 providing an effective date.
6
7 Be It Enacted by the Legislature of the State of Florida:
8
9 Section 1. Paragraph (z) of subsection (3) of section
10 1000.21, Florida Statutes, is amended to read:
11 1000.21 Systemwide definitions.—As used in the Florida K-20
12 Education Code:
13 (3) "Florida College System institution" except as
14 otherwise specifically provided, includes all of the following
15 public postsecondary educational institutions in the Florida
16 College System and any branch campuses, centers, or other
17 affiliates of the institution:
18 (z) South Florida State ~~Community~~ College, which serves
19 DeSoto, Hardee, and Highlands Counties.
20 Section 2. This act shall take effect July 1, 2012.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Budget, *Chair*
Rules, *Vice Chair*
Agriculture
Banking and Insurance
Budget - Subcommittee on Finance and Tax
Budget - Subcommittee on Transportation, Tourism,
and Economic Development Appropriations
Education Pre-K - 12
Rules - Subcommittee on Ethics and Elections

JOINT COMMITTEE:

Legislative Budget Commission, *Chair*

SENATOR JD ALEXANDER

17th District

January 23, 2012

Dear Ms. deMarsh-Mathues,

I respectfully request permission to allow my legislative assistant, Caitlin Murray, to present my bill, SB 1218, to the Committee on Higher Education, Wednesday, January 25, 2012. I will not be able to attend.

Thank you for your consideration in this request.

Sincerely,

A handwritten signature in cursive script, appearing to read "JD Alexander", written in dark ink.

Senator JD Alexander
District 17

REPLY TO:

- ☐ 201 Central Avenue West, Suite 115, City Hall Complex, Lake Wales, Florida 33853 (863) 679-4847
- ☐ 412 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5044

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS

MICHAEL S. "MIKE" BENNETT

CourtSmart Tag Report

Room: SB 301
Caption: Higher Education Committee

Case:
Judge:

Type:

Started: 1/25/2012 3:37:37 PM

Ends: 1/25/2012 4:21:08 PM

Length: 00:43:32

3:37:43 PM Meeting called to order
3:38:31 PM SB 1218 by Sen. Alexander, presented by Caitlin Murray, South Florida Community College
3:38:55 PM Sen. Siplin for question
3:39:23 PM Sen. Oelrich for comment
3:39:30 PM Ms. Murray responds
3:39:37 PM Sen. Oelrich for comment
3:39:53 PM Sen. Lynn for question
3:40:05 PM Ms. Murray responds
3:40:30 PM vote on bill, bill passes
3:40:58 PM SB 828 by Sen. Wise, Faith-based Postsecondary Institutions
3:41:14 PM 732322, by Sen. Siplin, courtsey
3:41:55 PM Sen. Wise requests clarification on procedures
3:42:16 PM Leaving first amendment pending, taking up second amendment
3:42:36 PM 636690 by Sen. Lynn, substitute amendment
3:42:47 PM Sen. Lynn explains her substitute amendment
3:44:04 PM Sen. Lynn withdraws the substitute amendment
3:44:18 PM Sen. Wise explains pending amendment
3:47:02 PM Sen. Lynn for question
3:47:18 PM Sen. Wise responds
3:47:44 PM Dr. Earle E. Lee, President, Florida Council of Private Colleges
3:49:03 PM Sen. Lynn for question
3:49:41 PM Dr. Lee responds
3:50:40 PM Sen. Oelrich for question
3:51:05 PM Dr. Lee responds
3:51:43 PM Sen. Oelrich for follow-up question
3:51:57 PM Dr. Lee responds
3:53:05 PM Sen. Oelrich for question
3:53:16 PM Dr. Lee responds
3:53:41 PM Sen. Lynn for question
3:54:13 PM Dr. Lee responds
3:56:15 PM Dr. Gene A. Youngblood, President, Conservative Theological University
3:59:31 PM Sen. Oelrich for question
4:00:11 PM Dr. Youngblood responds
4:00:46 PM Dr. Lee for comment
4:02:43 PM Sen. Lynn for question
4:03:05 PM Dr. Lee responds
4:03:11 PM Sen. Lynn for follow-up question
4:03:14 PM Dr. Lee responds
4:03:20 PM Sen. Lynn for question
4:03:29 PM Dr. Lee responds
4:04:11 PM Sen. Lynn for follow-up question
4:04:16 PM Dr. Lee responds
4:04:21 PM Sen. Lynn for question
4:04:24 PM Dr. Lee responds
4:04:30 PM Sen. Lynn for question
4:04:32 PM Dr. Lee responds
4:05:57 PM Sen. Lynn for follow-up question
4:06:30 PM Dr. Lee responds
4:16:31 PM amendment 732322 adopted without objection, now on bill as amended
4:17:11 PM Sen. Lynn in debate
4:18:58 PM Sen. Oelrich in debate
4:19:51 PM Sen. Wise waves his close

4:20:14 PM vote on bill, committee sub, bill passes
4:20:59 PM Mr. Adyen Maher, the Student Body President for FAU is recognized
4:21:03 PM Meeting adjourned



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:

Governmental Oversight and Accountability, *Chair*
Budget - Subcommittee on Education Pre-K - 12
Appropriations
Commerce and Tourism
Community Affairs
Health Regulation

SENATOR JEREMY RING

32nd District

January 25, 2012

Honorable Senator Steve Oelrich
418 Senate Office Building
404 S. Monroe Street
Tallahassee, FL 32399-1100

A handwritten signature in dark ink, appearing to read "Steve Oelrich", written over a faint horizontal line.

Dear Chairman Oelrich,

I am requesting to be excused from Higher Education Appropriations meeting scheduled for Wednesday January 25th due to an unavoidable commitment.

Thank you in advance for considering this request to be excused from the Higher Education meeting scheduled for January 25th. Please do not hesitate to contact me if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Jeremy Ring", written in a cursive style.

Jeremy Ring
Senator District 32

REPLY TO:

- ☐ 5790 Margate Boulevard, Margate, Florida 33063 (954) 917-1392
- ☐ 210 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5094

Senate's Website: www.flsenate.gov

MIKE HARIDOPOLOS
President of the Senate

MICHAEL S. "MIKE" BENNETT
President Pro Tempore



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Finance and Tax, *Chair*
Community Affairs
Health Regulation
Transportation
Ways and Means - Policy and Steering

JOINT COMMITTEES:
Legislative Sunset
Public Counsel Oversight

SENATOR THAD ALTMAN

24th District

January 24th, 2012

The Honorable Stephen R. Wise Chair
Senate Committee on Education Pre-K – 12
410 Senate Office Building
404 South Monroe Street
Tallahassee, FL 32399

A handwritten signature in dark ink, appearing to read "S. Wise", written over the address block.

Dear Chair Wise:

I respectfully request an excused absence for the meeting of the Committee on Education Pre-K-12 on January 24th, 2012 at 3:30 PM. Please contact me or my Legislative Assistant Kari Janzen if you have any questions.

Thank you for your consideration.

Sincerely,

A handwritten signature in dark ink, reading "Thad Altman", written below the "Sincerely,".

Thad Altman/vc

CC: Lynda deMarsh-Mathues, Staff Director, 415 Knott Building

REPLY TO:

- ☐ 6767 North Wickham Road, Suite 211, Melbourne, Florida 32940 (321) 752-3138
- ☐ 324 Senate Office Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5053

Senate's Website: www.flsenate.gov

JEFF ATWATER
President of the Senate

MIKE FASANO
President Pro Tempore