

By Senator Ring

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1 A bill to be entitled
2 An act relating to nonpublic postsecondary educational
3 institutions; amending s. 1005.02, F.S.; defining the
4 term "academic degree"; amending s. 1005.31, F.S.;
5 requiring that a licensed independent postsecondary
6 educational institution notify the Commission for
7 Independent Education of changes in its accreditation
8 status; providing penalties for failure to provide the
9 notice; revising criteria concerning the standards by
10 which the commission evaluates institutions for
11 licensure; requiring that institutions become accredited
12 within a specified period after licensure; requiring a
13 licensed institution that is not accredited to include
14 certain information on the institution's website;
15 restricting the recognition of academic degrees conferred
16 by that institution; requiring that the institution
17 notify the Department of Education and the Office of the
18 Attorney General of its progress in obtaining
19 accreditation; requiring that institutions maintain
20 records and provide the commission with information
21 concerning nationally recognized standards used to grant
22 credit for a student's prior work or life experience;
23 requiring compliance with laws concerning the reporting
24 of crime statistics; requiring such reports be made
25 available to the public; requiring that the commission
26 maintain a list on its website concerning the
27 accreditation of institutions licensed by the commission;
28 requiring the Department of Education and the Office of
29 the Attorney General to maintain a link to the

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30 commission's list on their respective websites; amending
31 s. 1005.38, F.S.; requiring that the commission revoke
32 the license or authorization of an institution that does
33 not meet requirements concerning accreditation; providing
34 an effective date.

35
36 Be It Enacted by the Legislature of the State of Florida:

37
38 Section 1. Present subsections (1) through (16) of section
39 1005.02, Florida Statutes, are redesignated as subsections (2)
40 through (17), respectively, and a new subsection (1) is added to
41 that section, to read:

42 1005.02 Definitions.--As used in this chapter, the term:

43 (1) "Academic degree" means a degree titled as an
44 associate, baccalaureate, masters, or doctoral degree.

45 Section 2. Subsections (1) and (2) of section 1005.31,
46 Florida Statutes, are amended, and subsection (16) is added to
47 that section, to read:

48 1005.31 Licensure of institutions.--

49 (1) (a) Each college or school operating within this state
50 must obtain licensure from the commission unless the institution
51 is not under the commission's purview or jurisdiction as provided
52 in s. 1005.06.

53 (b) After licensure each licensee is solely responsible for
54 notifying the commission in writing of:

55 1. Any change in the licensee's accreditation status.

56 2. The licensee's current mailing address and the location
57 of the institution. ~~A licensee's failure to notify the commission~~
58 ~~of a change of address constitutes a violation of this paragraph,~~

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59 ~~and the licensee may be disciplined by the commission.~~
60 Notwithstanding any other ~~provision of law,~~ service by regular
61 mail to a licensee's last known address of record with the
62 commission is ~~constitutes~~ adequate and sufficient notice to the
63 licensee for any official communication to the licensee by the
64 commission.

65
66 A licensee's failure to provide the notice required by this
67 paragraph is a violation of this paragraph and the licensee may
68 be disciplined by the commission.

69 (2) The commission shall develop minimum standards by which
70 to evaluate institutions for licensure. These standards must:

71 (a) Address ~~include at least~~ the institution's name,
72 financial stability, purpose, administrative organization,
73 admissions and recruitment, educational programs and curricula,
74 retention, completion, career placement, faculty, learning
75 resources, student personnel services, physical plant and
76 facilities, publications, and disclosure statements about the
77 status of the institution with respect to professional
78 certification and licensure.

79 (b) Require that an institution secure accreditation within
80 5 years after the date it is first licensed under this section,
81 except that if an institution is licensed on July 1, 2008, that
82 institution must obtain accreditation by July 2, 2013. An
83 institution that is licensed but not accredited shall promptly
84 seek and actively pursue accreditation.

85 1. During the period in which an institution is licensed
86 but not accredited, the institution shall disclose that
87 information on its website in a statement in a typeface that is

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88 large enough to be easily readable. The statement may include
89 additional information such as accreditation is being sought;
90 however, the institution may not include a statement on its
91 website that the institution is licensed unless the statement
92 also specifies that the institution is not accredited.

93 2. The academic degrees conferred by an institution before
94 it secures accreditation may be recognized by other postsecondary
95 educational institutions in this state only if the institution
96 secures accreditation within the required period.

97 3. The institution must notify the Department of Education
98 and the Office of the Attorney General in writing concerning the
99 status of its progress in the accreditation process. The notice
100 must be provided monthly until accreditation is secured.

101 (c) Require that an institution use nationally recognized
102 standards in determining whether to grant a student credit for
103 previous work or life experience. Each institution shall provide
104 to the commission an annual report that specifies the credits
105 granted for such experience and documents any nationally
106 recognized standards used in granting the credits.

107 (d) Require compliance with state and federal laws that
108 require annual reporting of crime statistics. Each institution
109 shall make such report available to the public.

110
111 The commission may adopt rules to ensure that institutions
112 licensed under this section meet these standards in ways that are
113 appropriate to achieve the stated intent of this chapter,
114 including provisions for nontraditional or distance education
115 programs and delivery.

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116 (16) The commission shall maintain on its website a current
117 list of the institutions that are licensed under this section and
118 that hold accreditation. The list must specify the accrediting
119 entity and whether such entity is recognized by the United States
120 Department of Education as a reliable authority as to the quality
121 of postsecondary education within the meaning of the Higher
122 Education Act of 1965, as amended. The Department of Education
123 and the Office of the Attorney General shall maintain a link to
124 the commission's list on their respective websites.

125 Section 3. Subsection (1) of section 1005.38, Florida
126 Statutes, is amended, to read:

127 1005.38 Actions against a licensee and other penalties.--

128 (1) The commission may deny, place on probation, or revoke
129 any provisional license, annual license, license ~~license~~ by means
130 of accreditation, agent's license, or other authorization
131 required by this chapter. The commission shall revoke the license
132 or other required authorization of an institution that fails to
133 become or remain accredited as required under s. 1005.31(2). The
134 commission shall adopt rules for taking these actions. The
135 commission may impose an administrative fine of not more than
136 \$5,000 if an institution is on probation for a period under
137 conditions that require oversight by the commission or its staff.
138 The fine shall be deposited into the Institutional Assessment
139 Trust Fund.

140 Section 4. This act shall take effect July 1, 2008.