



**A REVIEW OF THE LICENSURE
REQUIREMENTS OF
THE STATE BOARD OF INDEPENDENT
COLLEGES AND UNIVERSITIES**

**Report and Recommendations of the
Florida Postsecondary Education Planning Commission**

JANUARY 1998

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The Postsecondary Education Planning Commission, initially created by executive order in 1980, given statutory authority in 1981 (SS 240.145 and 240.147, Florida Statutes), and reauthorized by the 1991 Legislature, serves as a citizen board to coordinate the efforts of postsecondary institutions and provide independent policy analyses and recommendations to the State Board of Education and the Legislature. The Commission is composed of 11 members of the general public and one full-time student registered at a postsecondary education institution in Florida. Members are appointed by the Governor with the approval of three members of the State Board of Education and subject to confirmation by the Senate.

A major responsibility of the Commission is preparing and updating every five years a master plan for postsecondary education. The enabling legislation provides that the Plan "shall include consideration of the promotion of quality, fundamental educational goals, programmatic access, needs for remedial education, regional and state economic development, international education programs, demographic patterns, student demand for programs, needs of particular subgroups of the population, implementation of innovative educational techniques and technology, and the requirements of the labor market. The capacity of existing programs, in both public and independent institutions, to respond to identified needs shall be evaluated and a plan shall be developed to respond efficiently to unmet needs."

Other responsibilities include recommending to the State Board of Education program contracts with independent institutions; advising the State Board regarding the need for and location of new programs, branch campuses and centers of public postsecondary education institutions; periodically reviewing the accountability processes and reports of the public and independent postsecondary sectors; reviewing public postsecondary education budget requests for compliance with the State Master Plan; and periodically conducting special studies, analyses, and evaluations related to specific postsecondary education issues and programs.

Further information about the Commission, its publications, meetings and other activities may be obtained from the Commission office, 224 Collins Building, Department of Education, Tallahassee, Florida, 32399-0400; telephone (850) 488-7894; FAX (850) 922-5388.

POSTSECONDARY EDUCATION PLANNING COMMISSION

*A Review of the Licensure Requirements of the
State Board of Independent Colleges and Universities*

Prepared in Response to a Request by The Commissioner of Education

January 23, 1998

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EXECUTIVE SUMMARY

In response to a request by the Commissioner of Education (See Appendix A) and the Chairperson of the Postsecondary Education Planning Commission, the Commission conducted this study of the operations and licensure requirements of the State Board of Independent Colleges and Universities (SBICU). This is the third time that the Commission has conducted a formal study of the SBICU.

Independent education is an essential component of Florida's postsecondary education system. The Commission has consistently reiterated its support for maintaining a strong, sound private sector. The role of the SBICU in regulating private postsecondary institutions has changed over the years, but its purpose, to administer a licensing program to ensure that "all non-public colleges shall satisfactorily meet minimum educational standards" and, to "encourage privately supported higher education" while protecting the public, has not.

For the first ten years of its operation, the Board's main job was to eliminate the diploma mills in Florida. By the mid 1980s the Board had broadened its scope to include other activities such as the "nontraditional delivery of higher education," lowering student loan default rates, and "assisting vocational institutions that wish to become colleges." The Legislature continued to expand the duties of the SBICU while increasing the means by which institutions could be exempt from state licensure. By 1997, the SBICU was licensing less than 20 percent of the institutions under its purview. In recent years, the Board has undertaken such "innovative" activities as developing distance learning and technology resources, electronic library subscription services, collaborative educational plans with foreign educational institutions, and developing partnerships with business and industry.

The Commission reviewed various issues that were related to or impacted by the licensure requirements of the SBICU including accreditation status, academic standards, consumer protection, school closure, student records, degree definitions, and the role and composition of the Board. In general, the Commission found that the SBICU needs to expand its oversight authority while strengthening its role in promoting and protecting quality independent education in Florida. In those instances where change or improvement appeared warranted, the Commission offers the following recommendations:

Recommendations:

- 1. Effective July 1, 1998, all independent postsecondary colleges and universities operating in Florida, except those institutions offering awards or degrees that contain a religious modifier as described in s. 246.084(1)(c) Florida Statutes and in rules adopted by the Board, must be licensed by the State Board of Independent Colleges and***

Universities. Section 246.085, F.S., providing for exemptions from state licensure, should be repealed. Chapter 246 Florida Statutes should be amended to include language as follows: Those exempt independent institutions currently included in s. 246.085, F.S., shall automatically be granted a regular license. Licenses of institutions currently exempted under s. 246.085 (1)(a) shall continue as long as the institutions remain in good standing with their accrediting associations, and if they submit an annual financial audit to the Board in addition to other information (including consumer protection information) required in statute. Licenses of institutions currently exempt by the three letter rule exemption (246.085 (1)(b)) shall continue as long as their credits are accepted by institutions accredited by agencies recognized by the U.S. Department of Education, and if they submit an annual financial audit to the Board in addition to other information (including consumer protection information) required in statute.

2. *All branches of in-state and out-of-state independent postsecondary institutions operating in Florida must obtain a separate license from the SBICU. Section 246.021 (4) should be amended as follows: (4) "College" means any education entity which confers or offers to confer a degree which furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit or a degree beyond the secondary level. The term includes any nonpublic college chartered in this state, or Florida branch thereof, and any Florida center of an out-of-state college.*

The Board should immediately adopt rules that provide definitions for branches, other educational sites, and centers.

3. *The SBICU should consider reducing its base, workload, and other operational fees once all colleges and branches are subject to state licensure.*
4. *The SBICU should work closely with accrediting agencies and with institutions to ensure that reporting procedures required by accrediting agencies and the Board are not duplicated. Every effort should be made to streamline and coordinate the review process required by both bodies.*
5. *To conform with statutory changes contained in recommendation one, Section 246.121 (Designation of the term college or university) should be amended as follows: (1) The use of the title "college" or "university" in combination with any series of letters, numbers, or words is restricted in this state to colleges as defined in s. 246.021, which offer degrees as defined in s. 246.021 and if the college has received approval by*

the board to use such title. and fall into at least one of the following categories:

(a) A Florida college, public or nonpublic, accredited by:

- 1. The Commission on Colleges of the Southern Association of Colleges and Schools;*
- 2. The Accrediting Commission for Independent Colleges and Schools of the Career College Association at the junior or senior college of business level.*
- 3. The American Association of Bible Colleges; or*
- 4. An Agency recognized by the United States Department of Education to accredit professional degree programs above the baccalaureate level.*

(b) A Florida or out-of-state college which has been in active operation and using the name since April 1, 1970.

(c) Colleges chartered in this state the credits or degrees of which are accepted for credit by at least three colleges that are fully accredited by a member of the Commission on Recognition of Postsecondary Accreditation, which were exempt prior to July 1, 1982, and which enroll no students who receive any state or federal financial aid for education.

(2) A college for which the board has issued a license or a certificate of exemption may use the title "college" or "university" in combination with any series of letters, numbers, or words if the college meets the standards set by rule for use of the title "college" or "university." and if the college has received approval by the board to use such title.

(3) If such a college is approved under subsection (2) to use the designation "college" or "university," a branch or extension of that college may use the name of the parent college, but shall include an indication of the location of the branch or extension.

(4) Any entity offering educational courses or programs of study beyond the elementary school level in Florida, whether or not college credit is awarded, shall be subject to the provisions of this section.

(3) (5) An entity shall not use the term "college" or "university" in its name in Florida without approval by the board, unless the board determines that its name is clearly and accurately descriptive of the services provided by the entity and is not one that may mislead the public.

(4) The Board shall adopt rules to implement this section.

- 6. Section 246.084 “Authorization” should be amended to Exemption to better describe those institutions offering religious degrees that are exempt from SBICU review and licensure. The term “authorization” should be removed from Chapter 246 Florida Statutes wherever it is used to refer to this status. The term “exempt” should be used only to describe and refer to those institutions currently covered under s. 246.084.***
- 7. Section 246.084(2) authorizing a group to certify to the Board that certain institutions comply with the minimum standards for licensure and therefore are not required to include a religious modifier in the title of degrees offered by those institutions should be repealed.***
- 8. The Board should address the possible requirement of a bond or participation in a student protection plan to protect students in the event of unexpected institutional closure. In addition, the Board should establish a transcript with common data elements for use by all institutions to record each student’s academic history in an electronic format compatible with board technology. Section 246.091(4) should be amended as follows: A licensed college, or exempt college, prior to the discontinuance of operation, shall have the duty to convey all student academic transcripts, ~~records~~ to the board or to another location designated by the board.***
- 9. Section 246.041(1) (Powers and duties of board) should be amended by the addition of a new subsection to read as follows: (l) Investigate all student and consumer complaints and take any necessary action to attempt to resolve such matters.***
- 10. The Board should provide by rule definitions for all degree levels offered by licensed institutions.***
- 11. The SBICU and the State Board of Independent Postsecondary Vocational, Technical, Trade and Business Schools (SBIPVTTBS) should designate a member (s) to serve as a liaison between the two licensing boards to facilitate communication and cooperative efforts.***
- 12. The SBICU should develop and implement a management information system that will provide for the archiving of institutional and student data and allow the board to generate reports and respond to requests for information in a timely and efficient manner. Such a system should include common definitions for data re-***

quests, and allow for comparisons of summary data between SBICU institutions and public sector institutions, and with SBIPVTTBS institutions when appropriate.

- 13. The Legislature should approve additional personnel positions for the SBICU staff to meet the additional responsibilities as recommended in this study.*

Beginning with the 1982 *Master Plan for Florida Postsecondary Education* and continuing for over 15 years, the Commission has stressed that private education is critical to the maintenance of diversity and choice in postsecondary education in Florida, and has called for inclusion of the independent sector in attaining one coordinated system of education in the State. At the same time, the Commission has repeatedly recommended that both private licensure boards provide strong, consistent leadership and oversight for the institutions under their auspices, and that they participate in state-level planning and review activities.

In response to a request by the Commissioner of Education and the Chairperson of the Commission, the Commission conducted this study on the operations and licensure requirements of the State Board of Independent Colleges and Universities (SBICU). The Commission found that the scope and delivery of postsecondary education has changed significantly since its last formal review of the SBICU in 1989, but that the role of the Board—to preserve the integrity of awards offered by the independent institutions—and to protect the consumer and student from fraudulent education, has remained unchanged. While the number of independent institutions operating in Florida has grown rapidly since the Board's inception in 1971, the actual percentage of institutions licensed by the Board has decreased. The Commission found that exemptions to state licensure have created confusion on the part of the Board and the public as to what prerequisites and standards are required of institutions to operate in Florida, and what authority the Board has to investigate and regulate independent colleges and universities. The Commission also found that better communication and cooperation between the SBICU, the vocational licensing board, and the public sector boards, would improve the overall delivery and accountability of postsecondary education in Florida. Importantly, the Commission noted that the SBICU must improve its Management Information System (MIS) in order to collect and produce minimal descriptive data on its students and institutions.

The Commission chairman assigned this study of the SBICU to the Program Planning Committee chaired by Ms. Karen Plunkett. Other members were Richard Alterman, Inez Bailey, Thomas Haynes, H. Clyde Hobby, and Edgar Tolle. The Committee held a series of public meetings between July 1997 and January 1998 which included a panel discussion composed of private school owners and sector representatives. Commission staff worked closely with the staff of the SBICU in preparation of this report as well as staff from the Legislature, other state agencies, accrediting agencies, and institutional spokespersons.

INTRODUCTION

The Commission found that exemptions to state licensure have created confusion on the part of the Board and the public as to what prerequisites and standards are required of institutions to operate in Florida.

The Legislature created the State Board of Independent Colleges and Universities (SBICU) in 1971. The Board was directed to formulate and administer a licensing program to ensure that “all non-public colleges shall satisfactorily meet minimum educational standards.” The purpose of licensure was to “protect the individual student from deceptive, fraudulent, or substandard education, protect the non-public institutions, and protect the citizens of the state holding diplomas or degrees.” (Chapter 71-128, Laws of Florida) The Board was directed to develop the standards and qualifications for “any given field of endeavor” at non-public colleges, and to issue licenses for “those colleges which were not exempt from state regulation, or for those exempt institutions that voluntarily desired a license.” In 1974, the Legislature created the State Board of Independent Postsecondary Vocational, Technical, Trade and Business Schools, thus limiting the SBICU’s oversight to postsecondary colleges. All institutions offering degree and diploma programs are subject to licensure by both boards.

The 1979 Legislature clarified that the purpose of licensing non-public schools was first “to encourage privately supported higher education” while protecting the public. The powers and duties of the Board were expanded. The Board was granted the authority to serve as a repository for information about non-public institutions and as a clearinghouse for inquiries relating to institutions under its purview. Subsequently, the Legislature increased the information that the Board was required to collect from the institutions.

For the first ten years of its operation, the Board’s main job was to eliminate diploma mills in Florida. The Board’s rules underscored its role in the achievement and maintenance of high standards of quality in independent colleges. In 1977, the Legislature mandated that all out-of-state institutions operating in Florida, regardless of accreditation status, had to be licensed. Later (1983), it clarified that having a branch or center in Florida did not mean a college was a state institution. In 1982, the Legislature established specific standards upon which to base licensure. By the mid 1980s, the SBICU had broadened its scope to include other activities such as the “nontraditional delivery of higher education,” lowering student loan default rates, and “assisting vocational institutions that wish to become colleges.” In 1993, the Legislature expanded the duties of the SBICU to advise the Governor, PEPC, the Commissioner of Education, and the State Board of Education on matters of private postsecondary education. The Board was directed to assist non-public colleges in formulating articulation agreements with public colleges and universities and to cooperate in other joint efforts. The Board’s 1995-96 Annual Report notes the “innovative” activities that the Board has undertaken in the last several years, including developing distance learning

ISSUES AND RECOMMENDATIONS

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and technology resources, electronic library subscription services, collaborative educational plans with foreign educational institutions, and developing partnerships with business and industry.

Licensure/Exemption From Licensure

Certain institutions have always been exempt from state licensure. In the initial legislation, all institutions accredited by an accrediting agency recognized by the Federal Department of Education were exempt from licensure by the SBICU. As accreditation agencies proliferated, and the standards and ability of the agencies to oversee their schools fluctuated, the Legislature limited (in 1987) accreditation exempt status to those institutions accredited by SACS, ACICS, the American Association of Bible Colleges (AABC), and the Florida Association of Christian Colleges and Schools. The latter agency was removed in 1989. In 1995, the Transnational Association of Christian Colleges and Schools was included under the exempt section. Each accrediting agency has set policies, procedures, and standards for its participant institutions. However, while accreditation standards may be similar, there are variations in every evaluative category. After the initial accreditation visit, institutions are usually not visited for eight to ten years.

Colleges that had credits or degrees accepted by at least three accredited colleges were also exempt from state licensure in 1971. This exemption was removed from statute in 1972 and replaced in 1973. In 1983, the exemption was limited to institutions exempt prior to July 1, 1982. However, in 1992, the Board granted an exemption under the “three letter rule” to a religious institution that was not covered under the “three letter” category in 1982. Subsequently, the Legislature clarified in law (1992) that only institutions exempted in that category prior to 1982 could ever be exempt. Since 1989, only colleges which enroll no students who receive any state or federal financial can be included under “the three letter rule.” In 1997, two institutions are exempt under “the three letter rule.” Beginning in 1977, all out-of-state institutions (except religious out-of-state institutions) were required to be licensed regardless of accreditation status.

In its 1984 and 1989 reports on proprietary education in Florida, the Commission recommended that there should be minimal exceptions to licensure by the independent sector boards.

In its 1984 and 1989 reports on proprietary education in Florida, the Commission recommended that there should be minimal exceptions to licensure by the independent sector boards. In the regulatory sunset reviews of the SBICU, the House of Representatives’ Committee on Regulatory Reform (1981), the Senate Committee on Education (1991), and the Auditor General’s Performance Audit (1988), recommended that the SBICU consider monitoring more closely, or licensing, all independent postsecondary institutions that were exempt from licensure based on accreditation status.

In 1973, religious colleges were added as a category of colleges excluded from licensure. The definition of a religious college and what constitutes a religious degree has changed many times over the years, as has the exemption status. Initially, exemption was granted to religious colleges “whose only purpose is to train students in religious disciplines to prepare them for either missionary or ministerial service and whose catalogs honestly and accurately present their academic programs, offering only degrees in theology or of an ecclesiastical nature and require a minimum of 120 semester hours.” By 1987, the Legislature had expanded the definition of exempt religious colleges to include “religious institutes, colleges and universities, the only purpose of which is to prepare students in religious disciplines for educational, missionary, or ministerial service, and religious institutes, colleges, and universities which offer only degrees or diplomas of an ecclesiastical nature in religious education.” Those institutions were required to submit annual data to the Board.

In 1992, religious colleges were deemed “authorized to operate” instead of exempt from licensure (s. 246.083, F.S.). Degree programs were expanded to include pastoral counseling, pastoral psychology, sacred music, and religious education. Religious modifiers were required to precede or be included within degree titles beginning October 1, 1995. The 1997 Legislature repealed s.246.083 (Authorization to Operate) and enacted s.246.084 “Authorization.” (See Appendix B) According to the new law, religious colleges receiving authorization may only offer educational programs that prepare students for “religious vocations” as ministers, professionals, or laypersons in a wide variety of categories including social work, education, and fine arts. Those degree programs must include a religious modifier “which must immediately precede, or be included within,” any of the degree titles. In October 1997, the SBICU approved a rule that defined “immediately preceding” and “included within” a degree title. The rule specifies that the modifier required by s.246.084 (1)(c) shall appear immediately before any degree title or physically inside the words contained in those degree titles. Thus, the title “Bachelor of Christian Arts” or “Christian Bachelor of Arts” complies with the statutory requirement. The title “Bachelor of Arts in Christianity” does not meet the statutory requirement because the term is the same as that used to distinguish a secular degree. In other words, the title of Bachelor of Arts, or Master of Arts or Doctorate of Philosophy, must not appear contiguously in a religious degree (See Appendix C). The SBICU rule has not yet been passed by the State Board of Education.

The new law also includes requirements that religious degrees must contain the same hours as those required of secular degrees. Thus, an associate degree must contain no fewer than 60 semester hours, a bachelor’s degree no fewer than 120 semester hours, a master’s degree no fewer

Religious Institutions

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than 24 semester hours beyond the bachelor's degree, and the doctoral degree no fewer than 60 semester hours beyond the bachelor's degree. The authorized religious institutions must submit data annually to the Board including the college's name, accreditation status, religious affiliation, list of all degree titles with their religious vocation major, and a current copy of the catalog and consumer practice information. The Board does not, however, review the degree programs, course curriculum, qualifications of faculty and administrators, library resources, institutional effectiveness plan, or the institution's financial status, as it does for all licensed colleges and universities.

The biggest change in the new law allows an individual or group of individuals (instead of the Board) to collect the consumer protection information required by law. The law also allows an approved group representing certain colleges to certify to the Board that those institutions meet all the requirements of state licensure and do not have to include religious modifiers in their degree titles. Consequently, those institutions would be allowed to offer secular degrees (such as a Bachelor of Arts degree) without being reviewed for state licensure by the Board. Since the Legislature has charged the SBICU with assessing the qualifications of independent institutions to be licensed by the State, it appears that assigning this authority to another entity is a questionable delegation of legislative authority. The Board recently wrote rules to implement this section of law. The rule requires that any group that seeks to certify licensure qualifications to the Board must have at least five years' experience using standards at least as stringent and complex as the Board's licensing standards, and must participate in a training program to be developed by the Board. Any "group" is required to provide evidence to the Board as to how documentation will be collected and evaluated.

Status of Licensure

In 1974-75, after many diploma mills had been shut down and other state agencies had assumed oversight for the vocational and technical schools, a total of 88 institutions fell under the Board's auspices. Forty-four percent (39) of those institutions were licensed. Thirteen religious colleges were granted exemption status. Thirty institutions, including two religious colleges and six out-of-state colleges, were exempt from licensure through accreditation status. One institution claimed exemption under the "three letter rule."

Currently, in 1997, the SBICU licenses 59 independent colleges. These institutions have 44 branches or other educational sites that, with the exception of the separate campuses of one out-of-state institution, are not separately licensed. Forty-six institutions are accredited exempt (not licensed). These institutions have 50 branches or other educational sites that are not separately accredited. Together, 94 branches of independent institutions are operating in Florida, the majority of which are not separately licensed or accredited. The Board's rules describe a branch cam-

pus as “any location away from the main administrative campus, at which location the college offers courses carrying college credit.” Each accrediting agency has a different definition of what constitutes a branch, an educational site, and a learning center. In its 1989 study on proprietary education in Florida, the Commission recommended that all branch campuses of licensed and accredited institutions receive separate review and licensure by the SBICU.

The SBICU licenses 19 percent of the independent institutions under its purview.

Two independent institutions are currently exempt from licensure under the three letter rule, and 109 religious colleges are authorized to operate (exempt from licensure). There are 30 out-of-state institutions operating in Florida; all must be licensed, but as with other licensed institutions, their branches do not receive a separate license. The SBICU licenses 19 percent of the independent institutions under its purview.

Commission staff conducted a survey of licensure requirements of 18 states. The results revealed that 44 percent require that all independent institutions be licensed (See Appendix D). Over half (56%) require licensure for every branch and/or educational site of in-state postsecondary institutions. Less than one quarter of the states (22%) grant exemptions to regionally accredited institutions and 11 percent grant exemptions to institutions accredited by agencies recognized by the U.S. Department of Education. Florida is the only state that allows religious institutions that offer non-religious secular degrees to operate independent of licensure.

Over the years, through statute and rule, the oversight authority of the SBICU, including quality control and consumer protection, has increased for licensed institutions. At the same time, due to accreditation status and authorization, the number of exempt institutions has increased. These institutions are largely removed from the Board’s authority to regulate.

Both of the licensure boards are supported solely by fees collected from the institutions under their auspices. Currently the SBICU charges its institutions considerably more than the SBIPVTTBS for similar licensing, site visits, and other services—not only because so few institutions are licensed by the college board—but because its institutions are more comprehensive, and thus more time consuming to review. For example, the SBICU fee for a new license is \$5,000 while the SBIPVTTBS fee is \$2,000. Several accredited exempt colleges told staff that they would like to be licensed by the SBICU as well as maintain their accreditation, but that the cost for both was prohibitive.

One of the main concerns that faced the vocational licensure board (SBIPVTTBS) was establishing a plan to protect students who were enrolled in schools that suddenly closed. Along with providing refunds or continuing education opportunities for students, an equally pressing con-

**Student Protection
Plan/School Closing**

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cern was the safe-keeping or return of student records. Currently, the SBICU requires institutions to set aside ten percent of their operating budget for refunds. However, according to Board staff, this set-aside would not cover the cost of tuition refunds to all students if the college closed, or provide for student transfer to another independent institution. It also does not protect student records. While s. 246.091(4), F.S., requires that a licensed college, prior to the discontinuance of operation, "shall have the duty to convey all student records to the Board or to another location designated by the Board," it does not affect accredited exempt institutions or authorized religious colleges. According to Board records, 57 independent institutions have closed since 1992, of which 41 were religious colleges (See Appendix E). Of the religious colleges that closed, none of the students' transcripts or records were returned to the Board. One institution transferred the records to a sister institution in North Carolina.

Board staff have no way of knowing when a religious college closes and no way of retrieving student records. Of the 16 non-religious institutions that closed, the SBICU office received one college's records. The remaining records were sent to the home or parent college, or in three cases, to the institutions that took over their operations. Student records can be maintained on computer disks, thereby allowing the Board to maintain permanent record storage within a relatively small space.

**Student Complaints/
Consumer Protection**

The Board is charged with investigating all complaints against institutions under its jurisdiction. However, in 1992 the Legislature required that all complaints against accredited colleges be forwarded by the Board to the college and appropriate accrediting agency with a request that the Board be advised of any and all actions taken in response to the complaint. Since 1992, 459 complaints have been lodged with board staff against independent institutions. Of that number, approximately 96 percent were accredited institutions (See Appendix F). Accrediting agencies are not investigatory bodies, and according to board staff, often do not conduct independent investigations into complaints forwarded to their office, nor do they report back to the SBICU. However, board staff does make every effort to mediate disputes between students/consumers and the accredited institutions. Because accredited and authorized colleges are not required to submit an annual financial audit to the SBICU, problems related to student refunds, financial aid, college closing and other fiscal matters, may not come to the attention of the board staff until the problem has escalated. Under current law, the SBICU may collect certain consumer protection information from authorized religious institutions and may impose sanctions and penalties against them or any institution which defrauds or misleads students or consumers. However, the Board's investigatory powers are not clearly stated either in the powers and duties of the Board or throughout statute. Thus, there is confusion

over what types of institutions may be investigated by staff and what sanctions or penalties may be levied against them.

Although the statute pertaining to the SBICU has been amended many times over the last 25 years, the Legislature has consistently reiterated the importance of maintaining the integrity of degrees offered by the independent sectors. Section 246.011(3), F.S., defines the purposes of degrees: “Employers rely upon a person’s degree in judging that individual’s qualifications for employment. Educators rely upon a person’s degree to assess the adequacy of that individual’s preparation for the pursuit of further education.” Subsection (5) describes a degree as “any credential awarded which is generally taken to signify satisfactory completion of the requirements of an academic, educational, or professional program of study beyond the level of a specialized associate degree...” SBICU rules establish that associate degrees may not be comprised of fewer than 60 semester hours, bachelor’s no fewer than 120 semester hours, master’s no fewer than 36 (beyond the bachelor’s) and doctoral degrees no fewer than 60 semester hours beyond the bachelor’s. General education courses are required for associate (15 hrs. for A.S. and 36 hrs. for A.A.) and for baccalaureate (36 hrs.) programs.

Since 1992, colleges that offer vocational diploma or certificate programs have been dually licensed by the SBIPVTBS. Currently, 16 colleges are licensed by both boards. Since 1992, several institutions have converted former diploma programs to Associate in Science degrees by adding general education courses to their curriculum and by extending or strengthening professional core courses. Other institutions have created new A.S. and A.A. degree programs. Currently, over 120 A.S. programs are offered by institutions licensed by the State Board of Independent Colleges and Universities and another 168 are offered by institutions that are accredited exempt. While the Board’s rules require an A.S. degree program to contain 15 semester hours of general education or liberal arts courses, there are no standard or maximum credit hour lengths established as there are in the public sector. Nor is there a definition of what the A.S. degree is, what competencies it embodies, or how it may differ in content or purpose from an A.A. For instance, Associate in Science degrees offered by the public sector are composed of college-level courses designed “to prepare for entry into employment. The courses shall be based in theory and of sufficient complexity, rigor, and theory to be college level.” (SBE Rule 6A-14.030) An Associate in Arts degree is considered a transfer degree to a baccalaureate program although some colleges may offer an A.A. in specific subjects to enhance transferability of the professional coursework to a baccalaureate program. It is not

Program Criteria/ Degree Nomenclature

The Legislature has consistently reiterated the importance of maintaining the integrity of degrees offered by the independent sectors.

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intended to be a terminal degree. The lack of clearly defined degree levels has led to some confusion over board jurisdiction. At a recent SBICU board meeting (January 16, 1998), the Board approved an institution's proposal to offer a joint associate in science/applied science degree. Section 246.021 (5) describes a degree as an award for study beyond the level of a specialized associate degree. Section 246.203 (6) defines a specialized associate degree as a diploma. Such diploma programs must be licensed by the SBIPVTTBS.

The Board requires institutions to submit information on the educational programs and curricula that have been reviewed by faculty, administrators, and advisors as part of the Level I, II, and regular license review process. A site visit may be conducted by staff and experts in the field to determine the relevancy of the educational program to the degree title. Once the programs are established, however, the institutions are not required to submit enrollment and graduation rates, placement data, and program length, even for associate programs, the graduates of whom compete for many of the same positions as graduates of vocational certificate programs. The SBIPVTTBS is required in statute to collect such specific data from its institutions. Consequently, the vocational board is able to make evaluations and comparisons about the outcomes of its institutions' programs.

Board Composition and Role

The SBICU consists of nine citizens of the State, a majority of whom represent independent colleges and universities within the State. Members are appointed by the Governor and confirmed by the Senate. The Board meets four times a year. In its 1989 report, *An Update of Proprietary Education in Florida*, the Commission recommended that the college and vocational boards be merged in order to maximize state resources, facilitate better communication, record keeping, data collection, consumer protection, and to avoid duplication of effort. During the public hearings for this review, it was noted that of the 18 states surveyed by the Commission, only two, Florida and Georgia, have separate licensure boards. However, it was determined that while merger of the boards would increase communication and cooperative planning between the two independent licensure boards, it would not create a substantial savings to the State or increase the services of the Board. Similarly, relegating licensure to an administrative function would mitigate a lay board's input on both licensure and policy decisions. Testimony at the public hearings underscored the necessity of the two boards strengthening their communication and cooperation in order to facilitate the delivery of and ensure the highest quality of independent postsecondary education in Florida.

Data Collection

One of the main reasons the Commission previously supported the merger of the two licensure boards was to facilitate more descriptive data collection by the boards. Since that time, the Management Information

System (MIS) capabilities of the SBICU have not significantly improved. Consequently, the SBICU does not have a fully functional relational data base system. Consequently, board staff are unable to produce standard reports (student demographics and institutional characteristics) and respond to data requests in a timely and efficient matter. In addition, the SBICU is not required to collect and disseminate basic descriptive data found in most sector reports.

Based on these findings, the Commission makes the following recommendations:

Recommendations:

1. ***Effective July 1, 1998, all independent postsecondary colleges and universities operating in Florida, except those institutions offering awards or degrees that contain a religious modifier as described in s. 246.084(1)(c) Florida Statutes and in rules adopted by the Board, must be licensed by the State Board of Independent Colleges and Universities. Section 246.085, F.S., providing for exemptions from state licensure, should be repealed. Chapter 246 Florida Statutes should be amended to include language as follows: Those exempt independent institutions currently included in s. 246.085, F.S., shall automatically be granted a regular license. Licenses of institutions currently exempted under s. 246.085 (1)(a) shall continue as long as the institutions remain in good standing with their accrediting associations, and if they submit an annual financial audit to the Board in addition to other information (including consumer protection information) required in statute. Licenses of institutions currently exempt by the three letter rule exemption (246.085 (1)(b)) shall continue as long as their credits are accepted by institutions accredited by agencies recognized by the U.S. Department of Education, and if they submit an annual financial audit to the Board in addition to other information (including consumer protection information) required in statute.***

2. ***All branches of in-state and out-of-state independent postsecondary institutions operating in Florida must obtain a separate license from the SBICU. Section 246.021 (4) should be amended as follows:
(4) "College" means any education entity which confers or offers to confer a degree which furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit or a degree beyond the secondary level. The term includes any nonpublic college chartered in this state, or Florida branch thereof, and any Florida center of an out-of-state college.***

The Board should immediately adopt rules that provide definitions for branches, other educational sites, and centers.

3. *The SBICU should consider reducing its base, workload, and other operational fees once all colleges and branches are subject to state licensure.*
4. *The SBICU should work closely with accrediting agencies and with institutions to ensure that reporting procedures required by accrediting agencies and the Board are not duplicated. Every effort should be made to streamline and coordinate the review process required by both bodies.*
5. *To conform with statutory changes contained in recommendation one, Section 246.121 (Designation of the term college or university) should be amended as follows:*

(1) The use of the title "college" or "university" in combination with any series of letters, numbers, or words is restricted in this state to colleges as defined in s. 246.021, which offer degrees as defined in s. 246.021 and if the college has received approval by the board to use such title. and fall into at least one of the following categories:

(a) A Florida college, public or nonpublic, accredited by:

- 1. ~~The Commission on Colleges of the Southern Association of Colleges and Schools;~~*
- 2. ~~The Accrediting Commission for Independent Colleges and Schools of the Career College Association at the junior or senior college of business level.~~*
- 3. ~~The American Association of Bible Colleges; or~~*
- 4. ~~An Agency recognized by the United States Department of Education to accredit professional degree programs above the baccalaureate level.~~*

(b) ~~A Florida or out-of-state college which has been in active operation and using the name since April 1, 1970.~~

(c) ~~Colleges chartered in this state the credits or degrees of which are accepted for credit by at least three colleges that are fully accredited by a member of the Commission on Recognition of Postsecondary Accreditation, which were exempt prior to July 1, 1982, and which enroll no students who receive any state or federal financial aid for education.~~

(2) A college for which the board has issued a license or a certificate of exemption may use the title "college" or "university" in combination with any series of letters, numbers, or words if the college meets the standards set by rule for use of the title "college" or "university." and if the college has received approval by the board to use such title.

~~(3) If such a college is approved under subsection (2) to use the designation “college” or “university,” a branch or extension of that college may use the name of the parent college, but shall include an indication of the location of the branch or extension.~~

~~(4) Any entity offering educational courses or programs of study beyond the elementary school level in Florida, whether or not college credit is awarded, shall be subject to the provisions of this section.~~

(3) ~~(5)~~ An entity shall not use the term “college” or “university” in its name in Florida without approval by the board, unless the board determines that its name is clearly and accurately descriptive of the services provided by the entity and is not one that may mislead the public.

(4) The Board shall adopt rules to implement this section.

6. Section 246.084 “Authorization” should be amended to Exemption to better describe those institutions offering religious degrees that are exempt from SBICU review and licensure. The term “authorization” should be removed from Chapter 246 Florida Statutes wherever it is used to refer to this status. The term “exempt” should be used only to describe and refer to those institutions currently covered under s. 246.084.
7. Section 246.084(2) authorizing a group to certify to the Board that certain institutions comply with the minimum standards for licensure and therefore are not required to include a religious modifier in the title of degrees offered by those institutions should be repealed.
8. The Board should address the possible requirement of a bond or participation in a student protection plan to protect students in the event of unexpected institutional closure. In addition, the Board should establish a transcript with common data elements for use by all institutions to record each student’s academic history in an electronic format compatible with board technology. Section 246.091(4) should be amended as follows: A licensed college, or exempt college, prior to the discontinuance of operation, shall have the duty to convey all student academic transcripts, ~~records~~ to the board or to another location designated by the board.
9. Section 246.041(1) (Powers and duties of board) should be amended by the addition of a new subsection to read as follows: (l) Investi-

gate all student and consumer complaints and take any necessary action to attempt to resolve such matters.

- 10. The Board should provide by rule definitions for all degree levels offered by licensed institutions.***
- 11. The SBICU and the State Board of Independent Postsecondary Vocational Technical Trade, and Business Schools (SBIPVTTBS) should designate a member (s) to serve as a liaison between the two licensing boards to facilitate communication and cooperative efforts.***
- 12. The SBICU should develop and implement a management information system that will provide for the archiving of institutional and student data and allow the board to generate reports and respond to requests for information in a timely and efficient manner. Such a system should include common definitions for data requests, and allow for comparisons of summary data between SBICU institutions and public sector institutions, and with SBIPVTTBS institutions when appropriate.***
- 13. The Legislature should approve additional personnel positions for the SBICU staff to meet the additional responsibilities as recommended in this study.***

For the past 26 years, the State Board of Independent Colleges and Universities has administered a licensing program for independent postsecondary institutions in Florida. During that time, while the number of postsecondary institutions operating in the State has increased, the percentage of institutions licensed by the SBICU has decreased. While the Legislature has expanded the duties of the SBICU to include a variety of advisory and policy functions, it has weakened the Board's regulatory authority. In general, the Commission found that the SBICU needs to expand its licensure and oversight functions, while strengthening its role in protecting and promoting quality independent education in Florida.

CONCLUSION

APPENDIX A

Letter From Commissioner Frank Brogan



FLORIDA DEPARTMENT OF EDUCATION
Frank T. Brogan
Commissioner of Education

April 9, 1997

Dr. William B. Proctor
Executive Director
Postsecondary Education Planning Commission
224 Collins Building
Tallahassee, Florida 32399-0400

Dear Bill:

Recently, I have received a number of inquiries concerning the mission and scope of the State Board of Independent Colleges and Universities. I know that the Postsecondary Education Planning Commission has reviewed our two independent sector licensing boards and made recommendations regarding their respective responsibilities and operating policies and procedures.

I would appreciate receiving from you a synopsis of the origin of the State Board of Independent Colleges and Universities, the Commission's major findings and recommendations related to this board, and any continuing issues which you believe require attention concerning its current statutory authority and operation.

A response at your earliest convenience would be helpful. If you have any questions regarding this request, please contact Mr. Bob Bedford at 413-0555. Thank you for your continuing assistance on this and other matters related to postsecondary education.

Sincerely,

A handwritten signature in cursive script that reads "Frank".

Frank T. Brogan
Commissioner

cc: Bob Bedford
Wayne Freeberg

APPENDIX B

Florida Statutes Governing
The State Board of Independent Colleges and Universities

**CHAPTER 246, FLORIDA STATUTES
NONPUBLIC POSTSECONDARY INSTITUTIONS**

**STATE BOARD OF INDEPENDENT
COLLEGES AND UNIVERSITIES**

**Department of Education
212 Collins Building
Tallahassee FL 32399-0400
904/488-8695**

- 246.011 Purpose.
- 246.013 Participation in the common course designation and numbering system.
- 246.021 Definitions.
- 246.031 State Board of Independent Colleges and Universities.
- 246.041 Powers and duties of board.
- 246.051 Administration by board.
- 246.061 Expenditures.
- 246.071 Rules of State Board of Independent Colleges and Universities.
- 246.081 License, certificate of exemption, or authorization required; exceptions.
- 246.084 Authorization.
- 246.085 Certificate of exemption.
- 246.087 Licensing requirements.
- 246.091 License period and renewal.
- 246.095 Disclosure to prospective students; condition of operation.
- 246.101 Fees.
- 246.111 Denial, probation, or revocation of license or certificate of exemption.
- 246.121 Designation "college" or "university".
- 246.131 Injunctive relief.
- 246.141 License not to be considered accreditation.
- 246.151 Penalties.
- 246.31 Institutional Assessment Trust Fund.

246.011 Purpose.

(1) The Legislature encourages privately supported higher education and intends to aid in protecting the integrity of degrees conferred by privately supported colleges. Sections 246.011-246.151 are intended to aid in protecting the health, education, and welfare of persons who receive educational services and degrees from nonpublic colleges in this state; to aid in protecting employers and others who depend upon people whose educational credentials are from nonpublic colleges in this state; and to aid in protecting nonpublic colleges that currently operate or intend to begin operating in this state. The Legislature finds that both individuals and colleges benefit from a state system that assures that all nonpublic colleges satisfactorily meet minimum educational standards. The Legislature further recognizes the role of regional accrediting associations in setting standards for colleges and universities and encourages the use of the standards of regional accrediting associations as general guidelines for the licensing of nonpublic colleges.

(2) The Legislature recognizes that a degree serves several purposes. Employers rely upon a person's degree in judging that individual's qualifications for employment. Educators rely upon a person's degree to assess the adequacy of that individual's preparation for the pursuit of further education. Therefore, the Legislature intends that the provisions of ss. 246.011-246.151 aid in protecting the integrity of degrees offered by nonpublic colleges by providing for the evaluation of minimum educational requirements.

(3) It is the intent of the Legislature that a nonpublic college which offers both degrees and vocational certificates or diplomas shall be subject to the rules of the State Board of Independent Colleges and Universities as provided by ss. 246.011-246.151 and the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools as provided by ss. 246.201-246.231.

(4) It is the intent of the Legislature to prohibit the granting of false or misleading educational credentials and to prohibit misleading literature, advertising, solicitation, or representations by nonpublic colleges or their agents.

History-s. 1, ch. 71-128; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 6, 10, 16, ch. 79-385; s. 7, ch. 80-378; ss. 2, 3, ch. 81-318; ss. 2, 23, 24, ch. 82-203; s. 1, ch. 89-344; ss. 1, 9, 20, ch. 92-321.

246.013 Participation in the common course designation and numbering system.--

(1) Nonpublic colleges and schools that have been issued a regular license and that are fully accredited by a member of the Commission on Colleges of the Southern Association of Colleges and Schools and accredited nonpublic postsecondary colleges exempt from state licensure pursuant to s. 246.085(1)(a) may participate in the common course designation and numbering system. Participating colleges and schools shall bear the costs associated with

inclusion in the system and shall meet the terms and conditions for institutional participation in the system. The department shall adopt a fee schedule that includes the expenses incurred through data processing, faculty task force travel and per diem, and staff and clerical support time. Such fee schedule may differentiate between the costs associated with initial course inclusion in the system and costs associated with subsequent course maintenance in the system. Any college that participated in the system prior to July 1, 1986, shall not be required to pay the costs associated with initial course inclusion in the system. Fees collected for participation in the common course designation and numbering system pursuant to the provisions of this section shall be deposited in the Institutional Assessment Trust Fund created by s. 246.31. The Legislature finds and declares that independent nonprofit colleges and universities eligible to participate in the Florida resident access grant program pursuant to s. 240.605 are an integral part of the higher education system in this state and that a significant number of state residents choose this form of higher education. Any independent college or university that is eligible to participate in the Florida resident access grant program shall not be required to pay the costs associated with participation in the common course designation and numbering system.

(2) No college or school shall record student transcripts or document courses offered by the college or school in accordance with this section unless the college or school is actually participating in the system pursuant to rules of the State Board of Education. Any college or school deemed to be in violation of this section shall be subject to the provisions of s. 246.111 or s. 246.228.

History-s. 23, ch. 86-145; s. 19, ch. 87-212; s. 4, ch. 87-248; s. 2, ch. 89-344; ss. 2, 20, ch. 92-321; s. 33, ch. 94-230; s. 18, ch. 94-310.

246.021 Definitions.--

As used in ss. 246.011-246.151, unless the context otherwise requires:

(1) "Agent" means a person who is employed by a college that is subject to the licensing requirements provided in ss. 246.081, 246.091, and 246.095, or an out-of-state college, and who solicits business for the college at any place other than the legal place of business of the college. The term does not include an entertainer at a public event whose objective is to improve public relations for a college, if the entertainer does not accept the commitment of prospective students to attend the college.

(2) "Board" means the State Board of Independent Colleges and Universities.

(3) "Certificate of exemption" means a document issued by the board to a nonpublic college, signifying that the college has demonstrated that it meets the statutorily prescribed exemption criteria and is not required to participate in the board's licensing review process.

(4) "College" means any educational entity which confers or offers to confer a degree or which furnishes or offers to furnish instruction leading toward, or prerequisite to, college credit or a degree beyond the secondary level. The term includes any nonpublic college chartered in this state and any Florida center of an out-of-state college.

(5) "Degree" means any credential awarded which is generally taken to signify satisfactory completion of the requirements of an academic, educational, or professional program of study beyond the level of a specialized associate degree or any honorary credential conferred for meritorious recognition.

(6) "License" means a regular license, provisional license, or temporary license, as provided by rule.

(7) "Out-of-state college" or "college outside the state" means any college where the place of instruction, the legal place of residence, or the place of evaluation of instruction or work by correspondence is not within the legal boundaries of this state.

History-s. 2, ch. 71-128; s. 1, ch. 72-203; s. 70, ch. 72-221; s. 1, ch. 73-91; s. 1, ch. 73-252; s. 1, ch. 76-43; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 7, 10, 16, ch. 79-385; s. 7, ch. 80-378; ss. 2, 3, ch. 81-318; ss. 3, 23, 24, ch. 82-203; s. 28, ch. 83-325; s. 24, ch. 86-145; s. 3, ch. 89-344; ss. 3, 19, 20, ch. 92-321, Amended 1997.

246.031 State Board of Independent Colleges and Universities.--

(1) There shall be established in the Department of Education a State Board of Independent Colleges and Universities. The department shall serve as the administrative agent of the board by providing services, including payroll, procurement, and legal counsel. The board shall exercise independently all duties prescribed by law.

(2) The State Board of Independent Colleges and Universities shall consist of nine citizens of this state, a majority of whom represent independent colleges and universities within the state. For terms beginning after October 1, 1992, members shall be residents of the state, selected from the state at large. Members shall be appointed by the Governor and confirmed by the Senate.

(3) The terms of office for the members of the board shall be 3 years and until their successors are appointed and qualified. If a vacancy on the board occurs before the expiration of a term, the Governor shall appoint a successor to serve the unexpired term.

(4) The board shall meet not less than four times in every fiscal year.

(5) Members of the board are entitled to reimbursement for travel and per diem expenses, as provided in s. 112.061, while performing their duties.

(6) Each board member is accountable to the Governor for the proper performance of the duties of his or her office. The Governor may remove from office any member for cause.

History-s. 3, ch. 71-128, s. 70, ch. 72-221; s. 3, ch. 76-168; s. 3, ch. 77-85; s. 1, ch. 77-457; s. 4, ch. 78-323; ss. 1, 2, 3, ch. 81-65; ss. 2,3, ch. 81-318; ss. 4, 23, 24, ch. 82-203; s. 25, ch. 86-145; s. 4, ch. 89-344; ss. 4, 19, 20, ch. 92-321; s. 89, ch.95-148.

246.041 Powers and duties of board.--

- (1) The board shall:
 - (a) Hold meetings as necessary to administer the provisions of ss. 246.011-246.151.
 - (b) Select annually a chairperson and a vice chairperson.
 - (c) Adopt and use an official seal in the authentication of its acts.
 - (d) Make rules for its own governance.
 - (e) Adopt rules necessary to carry out its functions.
 - (f) Authorize an individual, or a designated group of individuals, to represent one or more nonpublic colleges in appearances before the board on official matters if each college agrees formally to designate the individual or group of individuals to represent it.
 - (g) Administer ss. 246.011-246.151.
 - (h) Appoint, on the recommendation of its chairperson, executives, deputies, clerks, and employees of the board.
 - (I) Maintain a record of its proceedings.
 - (j) Cooperate with other state and federal agencies in administering the provisions of ss. 246.011-246.151.
 - (k) Prepare an annual budget.
 - (l) Transmit all fees, donations, or other receipts of money through the Department of Education to be deposited in the Institutional Assessment Trust Fund created by s. 246.31.
 - (m) Transmit to the Governor, the Speaker of the House of Representatives, and the President of the Senate an annual report which shall include, but not be limited to:

1. An accounting of all funds received and expended.

2. The number of complaints received, the number of complaints investigated by the board, and the number of complaints forwarded to the appropriate accrediting agency for action, by college and type of complaint. The report shall include a summary of the actions taken by the accrediting agency following receipt of the complaint.

3. The number of findings of probable cause.

4. A description of disciplinary actions taken, by statutory classification.

5. A description of all administrative hearings and court actions.

6. A description of the board's major activities during the previous year.

(n) Serve as a central agency for collecting and distributing current information regarding colleges licensed by the board and colleges granted a certificate of exemption by the board.

1. The board shall annually collect information relating to the college administration, calendar system, admissions requirements, student costs and financial obligations, financial aid information, refund policy, placement services, degree programs, and off-campus academic programs. To the extent that such information is available in the institution's current catalog, a copy of the catalog accompanied by an index indicating where the information may be found shall be sufficient to demonstrate compliance with this provision. Financial information of a strictly proprietary, commercial nature is excluded from this requirement.

2. The board shall annually collect information on students, faculty, and degrees awarded. To the extent that data submitted to the Federal Government for compilation into the Integrated Postsecondary Education Data System (IPEDS) provide the information required pursuant to this paragraph, submission to the board of copies of such reports shall be sufficient to demonstrate compliance with this provision.

3. The board shall collect annually from each college a descriptive inventory of consumer practices including:

- a. A description of the college's policies and procedures regarding the recruitment and admission of students.

b. The sources and kinds of student financial assistance available, and the specific manner by which students are informed of their responsibilities with respect to receiving assistance and repaying loans.

c. The placement assistance provided by the college, including any claims concerning job placement rates.

d. All advertising issued on behalf of the college, including copies of all published items.

e. A copy of the college's refund policy. Such refund policy shall provide students with a minimum of 3 working days from the date a student signs an enrollment contract or financial agreement with a college for the student to cancel the contract and receive a full refund of any tuition or registration fees paid. This provision of the refund policy shall be prominently displayed on the contract form. The refund policy shall also provide for a full refund of tuition and registration fees paid by the student prior to the commencement of instruction if the student submits a written request to the institution within 3 working days of the payment.

f. Evidence that the college has provided students with a clear and specific statement regarding the transferability of credits to and from other colleges.

To the extent that such information is available in the institution's current catalog, a copy of the catalog accompanied by an index indicating where the information may be found shall be sufficient to demonstrate compliance with this provision.

4. The board shall annually provide to each college the format, definitions, and instructions for submitting the required information.

5. Each college shall include with the information submitted a letter of certification, signed by its chief administrative officer, affirming that the information submitted is accurate, that the policies reported are provided in writing to all prospective students at least 1 week prior to enrollment or collection of tuition fees, and that the college observes the policies and practices as reported to the board.

6. The board shall include a summary of the information collected in the annual report to the Governor, the Speaker of the House of Representatives, and the President of the Senate. This information may also be used by the Department of Education for such purposes as statewide master planning, state financial aid programs, and publishing directories; by the Legislature; and to respond to consumer inquiries received by the board.

7. If a college fails to provide the information required by the board under this paragraph, the board may impose a fine for every month the information is not made available. Repeated failure to supply the information required by this paragraph or to pay the fines imposed by the board may result in the revocation of the license or certificate of exemption. The board shall adopt rules for these actions.

(o) Advise nonpublic colleges of policies adopted by the Legislature and of their responsibility to follow such policies.

(p) Forward complaints against colleges which hold a certificate of exemption by virtue of accreditation to the college and appropriate accrediting agency for action. The board shall request that the college and accrediting agency inform the board of any and all actions taken in response to the complaint.

(q) Annually review the accreditation standards of the Commission on Colleges of the Southern Association of Colleges and Schools, the Accrediting Commission for Independent Colleges and Schools of the Career College Association at the junior or senior college of business level, and the American Association of Bible Colleges, the Transnational Association of Christian Colleges and Schools, and, upon request, other Commission on Recognition of Postsecondary Accreditation and United States Department of Education recognized accrediting associations, to determine for each of these accrediting bodies the comparability of the accreditation standards with the minimum licensing requirements of the board.

(r) Provide information and documentation on an annual basis to the Office of Student Financial Assistance of the Department of Education regarding the requirements set forth for nonpublic colleges in s. 240.605, relating to state tuition vouchers, s. 240.607, relating to access grants for community college graduates, and s. 240.609, relating to Florida postsecondary endowment grants.

(s) Cooperate with the Board of Regents and the Department of Education, pursuant to s. 240.53, in establishing one or more approved postdoctoral training programs to train currently employed college or university faculty to deliver postsecondary courses, inservice training programs, and technical assistance related to middle childhood education programs.

(t) Provide annually to the Office of Student Financial Assistance of the Department of Education information and documentation which can be used in determining a college's eligibility to participate in state student financial assistance programs.

(u) Coordinate and convey annual reports to the Commissioner of Education relating to campus crime statistics for nonpublic colleges, pursuant to s. 240.2683, and on the assessment of physical plant safety, pursuant to s. 240.2684.

(v) Appoint two representatives to the board of directors of the Florida Endowment Fund for Higher Education, pursuant to s. 240.498.

(w) Affirm, on an annual basis, that all nonpublic colleges whose students are eligible to receive state student financial assistance have adopted and implemented a written antihazing policy, pursuant to s. 240.1325.

(2) The board may:

(a) Sue or be sued.

(b) Enter into contracts with the Federal Government, with other departments of the state, or with individuals.

(c) Receive bequests and gifts, subject to any restrictions upon which the board and the donor agree.

(d) Appoint standing committees to assist it in developing rules, in determining the qualifications required of a college endeavor; in evaluating applications for temporary, provisional, or regular licensure, certificates of exemption, or requests for authorization; in evaluating reports submitted by colleges; or in legislative or other matters. Special committees may be appointed to advise the board or to conduct onsite evaluation visits at colleges.

(e) Advise the Governor, the Legislature, the State Board of Education, the Postsecondary Education Planning Commission, and the Commissioner of Education on issues relating to private postsecondary education.

(f) Delegate to the chairperson of the board the responsibility for signing final orders.

(g) Following evaluation by the board, recommend to the Legislature any changes to the accrediting associations included in s. 246.085(1)(a). Accrediting associations included in s. 246.085(1)(a) shall be Commission on Recognition of Postsecondary Accreditation or United States Department of Education recognized accrediting associations whose standards are comparable with state licensing standards.

(h) Assist nonpublic colleges in formulating articulation agreements with public colleges and universities.

History-s. 4, ch. 71-128; s. 4, ch. 72-203; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 6, 16, ch. 79-385; ss. 2, 3, ch. 81-318; ss. 4, 23, 24, ch. 82-203; s. 5, ch. 87-248; s. 5, ch. 89-344; ss. 60, 74, ch. 91-105; ss. 5, 19, 20, ch. 92-321; s. 2, ch. 92-98; s. 34, ch. 94-230; s. 19, ch. 94-310; s. 20, ch. 95-392.

246.051 Administration by board.--

The provisions of ss. 246.011-246.151 shall be administered by the board which in connection therewith has the power:

(1) To adopt such rules as it may find necessary to carry out the objectives, purposes, and directives of ss. 246.011-246.151;

(2) To execute such standards and rules and regulations as shall be adopted for the operation and establishment of nonpublic colleges; and

(3) To expend funds as necessary to assist in the enforcement of ss. 246.011-246.151.

History-s. 5, ch. 71-128, s. 2, ch. 73-294, s. 2, ch. 76-43; s. 3, 76-168; s. 1, ch. 77-457; ss. 2,3, ch. 81-318; ss. 6, 23, 24, ch. 82-203; s. 6, ch. 87-248; s. 6, ch. 89-344; ss. 19, 20, ch. 92-321.

246.061 Expenditures.--

The Treasurer shall pay out all moneys and funds provided for in ss. 246.011-246.151 upon proper warrant issued by the Comptroller, drawn upon vouchers approved by the Department of Education for all lawful purposes necessary to the administration of ss. 246.011-246.151. The board shall make annual reports to the Governor showing in detail amounts received and all expenditures. All fees, donations, or other receipts of money by the board shall be paid into the Institutional Assessment Trust Fund created by s. 246.31, and the funds appropriated for the purposes of ss. 246.011-246.151 shall be from the Institutional Assessment Trust Fund and other state fund sources as appropriate, based on an appropriate budget approved by the board and submitted to the Legislature through the Governor in accordance with chapter 216. The board shall include in its annual report to the Governor a statement of major activities during the period covered by such report.

History-s. 6, ch. 71-128; s. 5, ch. 72-203; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 8, 23, 24, ch. 82-203; s. 7, ch. 87-248; ss. 19, 20, ch. 92-321.

246.071 Rules of State Board of Independent Colleges and Universities.--

The State Board of Independent Colleges and Universities is authorized to adopt such rules as are necessary to carry out the objectives, purposes, and directives of ss. 246.011-246.151. Such rules shall be submitted to the State Board of Education for approval or disapproval. If any rule is not disapproved by the State Board of Education within 60 days after its receipt by the State Board of Education, the rule shall be filed immediately with the Department of State.

History-s. 7, ch. 71-128; s. 3, ch. 76-169; s. 1, ch. 77-457; ss. 2,3, ch. 81-318; ss. 8, 23, 24, ch. 82-203, s. 7, ch. 87-248; ss. 19, 20, ch. 92-321.

246.081 License, certificate of exemption, or authorization required; exceptions.--

(1) The following colleges are not under the jurisdiction of the board and are not required to obtain a license, a certificate of exemption, or an authorization from the board:

(a) Any college provided, operated, and supported by the State of Florida or its political subdivisions or the Federal Government.

(b) Any college, school, or course licensed or approved for establishment and operation under chapter 464, chapter 466, or chapter 475, or any other chapter of the Florida Statutes, requiring licensing or approval as defined in ss. 246.011-246.151.

(2) No nonpublic college shall continue operation or be established within the state unless such college shall apply for, and obtain from the board, a license, a certificate of exemption, or authorization in the manner and form prescribed by the board. Upon receipt of approved articles of incorporation from the Department of State that purport to be for a college as defined in s. 246.021, the newly formed corporation shall, with 60 days after such approval, make an application to the board for a license, a certificate of exemption, or other authorization as required by law. The approval of articles of incorporation by the Department of State shall not be deemed to be an approval to engage in the operation of an institution of higher learning. Such institution shall not advertise or operate until a license, certificate of exemption, or authorization has been obtained from the board. When articles of incorporation are issued to an institution of higher learning, the Department of State shall immediately furnish a copy of the articles of incorporation to the board.

(3) No nonpublic college shall continue to conduct or begin to conduct any diploma program, as defined in s. 246.203, unless the college applies for and obtains from the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools a license or authorization for such diploma program in the manner and form prescribed by the State Board of Independent Postsecondary, Vocational, Technical, Trade, and Business Schools.

(4) An agent shall not solicit prospective students in this state for enrollment in any nonpublic college subject to the provisions of subsection (2) or in any out-of-state college unless such agent has received a license in the manner prescribed by the board. An agent shall not be compensated by commissions or bonuses based upon the number of students recruited.

(5) A nonpublic college or any person acting on behalf of such college shall not publish any advertisement soliciting students or offering a diploma or degree while such college is under an injunction against operating, soliciting students, or offering a diploma or degree.

History-s. 8, ch. 71-128; s. 3, ch. 73-294; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 9, 23, 24, ch. 82-203; s. 26, ch. 86-145; s. 7, ch. 89-344; ss. 6, 19, 20, ch. 92-321.

246.083 Authorization to operate.-- (Repealed 1997)

246.084 Authorization.--

(1) A nonpublic college which enrolls students, none of whom receive state or federal financial aid for education, shall not be required to apply for a license upon compliance with this section and submission of data required by this section.

(a) Colleges receiving authorization under this section may only offer educational programs that prepare students for religious vocations as ministers, professionals, or laypersons in the following categories: ministry, counseling, theology education, administration, music, fine arts, media communications, and social work.

(b) The religious vocation must predominantly appear on the face of the degree and on the college's transcript.

(c) The titles of degrees issued by the college must include a religious modifier which must immediately precede, or be included within, any of the following titles; Associate in Arts, Associate in Science, Bachelor of Arts, Bachelor of Science, Master of Arts, Master of Science, and Doctor of Philosophy.

(d) For purposes of this section, one semester credit hour of study is 15 academic hours or its equivalent. The following minimum credit hours are required for awarding the following degrees:

(1) Associate degree, with no fewer than 60 semester hours or the equivalent.

(2) Bachelor's degree, with no fewer than 120 semester hours or the equivalent.

(3) Master's degree, with no fewer than 24 semester hours, or the equivalent, beyond the bachelor's degree.

(4) Doctoral degree, with no fewer than 60 semester hours, or the equivalent, beyond the bachelor's degree.

(e) The following data must be submitted annually to the board: college name, address, telephone number, and accreditation, if any; denomination, church, or

religious affiliation; list of all degree titles with their religious vocation major; and a current copy of the college's catalog and consumer practice information listed in paragraph (f).

(f) The board shall collect annually from each college authorized pursuant to this section the following descriptive inventory of consumer practices;

(1) A description of the college's policies and procedures regarding the recruitment and admission of students.

(2) The sources and kinds of financial assistance available and the specific manner by which by which students are informed of their responsibilities with respect to receiving assistance and repaying loans.

(3) The placement assistance provided by the college, including any claims concerning job placement rates.

(4) Copies of all advertising published on behalf of the college during the previous year. If the college claims accreditation, it shall indicate whether or not that accreditation is approved by the United States Department of Education and if such accreditation is disclosed in all advertisements.

(5) A copy of the college's refund policy. The refund policy must provide students with a minimum of 3 working days from the date a student signs an enrollment contract or financial agreement with a college for the student to cancel the contract and receive a full refund of any tuition or registration fees paid. The refund policy must be prominently displayed on the contract form.

(6) Evidence that the college has provide its students with a clear and specific statement regarding the transferability of credits to and from other colleges, institutes, seminaries, and universities.

(g) The college shall include with the data required by paragraphs (e) and (f), a sworn affidavit, signed by its chief administrative officer, affirming that the information submitted is accurate and no false data has knowingly and willingly been submitted, that the policies reported are provided in writing to all prospective students at least 1 week before enrollment or collection of tuition fees, that the college observes the policies and practices as reported to the board, and that it complies with this section.

(h) The board shall set an annual review date for receiving data and assuring compliance with this section. The board shall give a college 60 days' notification of the annual review date. After providing 30 days' notification, the board may impose a fine for every month the college receiving authorization under this section fails to provide the data

required by paragraphs (e) and (f). The postmark on the envelope or package containing the notification serves as the date of notification.

(i) The following information must appear in the college's catalog or administrative bulletin; denomination, church, or religious affiliation; purpose or mission of the college; a list and description of all courses of study; a list of course descriptions; a list of all faculty members with their degrees; administrative officers and staff; all fees, charges, nonrefundable fees, and tuition; refund policies; transferability of credits to and from other colleges; accreditation, if any; whether or not the accrediting agency is recognized by the United States Department of Education; and the college's authorization status. A college receiving authorization under this section shall include the following statement in the purpose, mission, accreditation, or recognition statement in the catalog to clarify its statutory existence: "The degree programs of this college are designed solely for religious vocations."

(j) The name of the college shall include a religious modifier or the name of a religious patriarch, saint, person, or symbol or the church.

(2) Notwithstanding the provisions of paragraph (1)(c), a college which complies with the provisions of this section and submits to the board a sworn affidavit from a group formed pursuant to s. 246.041(1)(f), certifying that the college complies with the minimum standards for licensure as provided for in rule, is not required to include a religious modifier in the title of degrees issued by the college.

(3) The burden of determining compliance with this section shall rest with the board. Pursuant to s. 246.041(1)(f), the board may enter into an agreement with an individual or group of individuals to oversee the review and collection of the data submitted pursuant to this section. The board may require further evidence and make such further investigation, in addition to the information submitted, as may be reasonably necessary in the board's judgment.

(4) If the board determines that a college meets the requirements of this section, the board shall issue the college an authorization.

(5) If at any time a college receiving authorization under this section fails to comply with this section, it shall be required to apply for a license pursuant to s. 246.081 within 30 days of the board's final action finding that the college is not authorized under this section. Final actions by the board may be taken only after two consecutive quarterly meetings. A notice of noncompliance with the specific requirements of this section shall precede the two quarterly meetings. A final noncompliance notification shall be sent by certified mail 30 days prior to the final action.

246.085 Certificate of exemption.--

(1) As an alternative to applying for a license from the board, the following nonpublic colleges may apply for a certificate of exemption from the board:

(a) Colleges chartered in Florida and accredited by:

1. The Commission on Colleges of the Southern Association of Colleges and Schools;

2. The Accrediting Council for Independent Colleges and Schools at the junior or senior college of business level;

3. The American Association of Bible Colleges;

4. The Transnational Association of Christian Colleges and Schools; or

5. An agency recognized by the Commission on Recognition of Postsecondary Accreditation to accredit professional degree programs above the baccalaureate level.

Each nonpublic college seeking exemption pursuant to this paragraph shall submit to the board a current catalog and a letter from the recognized accrediting agency by whom the college is accredited, confirming the current accredited status of the college.

(b) Colleges chartered in this state, the credits or degrees of which are accepted for credit by at least three colleges that are fully accredited by a member of the Commission on Recognition of Postsecondary Accreditation, which were exempt through this category of exemption prior to July 1, 1982, and which enroll no students who receive any state or federal financial aid for education. Each college seeking exemption pursuant to this paragraph shall submit to the board a current catalog and letters from the three colleges confirming acceptance of the credits.

(2) If the board determines that a nonpublic college meets the requirements of subsection (1), the board shall present the college with a certificate of exemption. Colleges which receive a certificate of exemption from the board are not required to apply for a license from the board.

(3) Any college which holds a certificate of exemption and which conducts any diploma program, as defined in s. 246.203, shall be subject to licensure of such diploma program by the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools.

(4) Each certificate of exemption issued by the board shall be subject to an annual review by the board to determine if the college remains eligible for the exemption. Colleges which have applied for and received exemption under this section may remain in compliance for exemption by annually submitting evidence that the college remains in compliance with the provisions of subsection (1), the information required by s. 246.041(1)(n), and a current catalog. The burden of determining compliance shall rest with the board, and the board may make such further investigation and may require further evidence, in addition to the information submitted, as may be necessary in its judgment.

(5) Exemption applied for by any nonpublic college or granted by the board to any nonpublic college pursuant to subsection (1) may be denied, placed on probation, or revoked for repeated failure to comply with the provisions of ss. 246.011-246.151. The board shall adopt rules for these actions. Revocation or denial of exemption shall immediately bring the college under the requirements for licensure.

History-ss. 10, 24, ch. 82-203; s. 120, ch. 83-217; s. 3, ch. 87-248; s. 8, ch. 89-344; ss. 8, 19, 20, ch. 92-321; s. 20, ch. 94-310; s. 21, ch. 95-392.

246.087 Licensing requirements.--

(1) The minimum standards to be evaluated by the board for the licensing of colleges shall include purpose, administrative organization, educational program and curricula, finances, faculty, library, student personnel services, physical plant and facilities, publications, and disclosure statements about the status of the college in relation to professional certification and licensure.

(2) The minimum standards for the licensing of agents shall include name, residential and business addresses, background, training, college to be represented, and demonstrated knowledge of statutes and rules related to the authority granted to agents and the limitations imposed upon such authority. No employee of a nonpublic college shall solicit prospective students for enrollment in such college until that employee is licensed by the board as an agent.

History-ss. 11, 24, ch. 82-203; s. 9, ch. 89-344; ss. 19, 20, ch. 92-321.

246.091 License period and renewal.--

(1) Each license issued by the board shall be subject to an annual review and renewal by the board to determine if the licensee is in compliance with ss. 246.011-246.151. A college affected under this act may be granted a temporary or provisional license. Nothing in ss. 246.011-246.151 shall prevent the extension of such a temporary or provisional license provided a good faith effort has been made by the college and agent. The burden of determining compliance or a good faith effort shall rest with the board.

(2) A licensed college which seeks to expand its degrees to be conferred shall file a supplementary application. The board shall promulgate standards for the approval of additional degrees.

(3) A licensed college which seeks to conduct any diploma program, as defined in s. 246.203, shall apply to the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools for licensure of such program.

(4) A licensed college, prior to the discontinuance of operation, shall have the duty to convey all student records to the board or to another location designated by the board.

History-s. 9, ch. 71-128; s. 4, ch. 73-294; s. 3, ch. 76-43; s. 3, ch. 76-168; s. 3, ch. 77-426; s. 1, ch. 77-457; ss. 8, 10, 16, ch. 79-385; s. 7, ch. 80-378; ss. 2, 3, ch. 81-318; ss. 12, 23, 24, ch. 82-203; s. 27, ch. 86-145; s. 10, ch. 89-344; ss. 19, 20, ch. 92-321.

246.095 Disclosure to prospective students; condition of operation.--

(1) Every college which is either licensed by the board or has been granted a certificate of exemption by the board and which either directly or indirectly solicits for enrollment any student shall disclose to each prospective student a statement of the purpose of such college, its educational programs and curricula, a description of its physical facilities, its status regarding licensure, its fee schedule and policies about retaining student fees if a student withdraws, and a statement regarding the transferability of credits to and from other colleges. In addition, colleges which are required to be licensed by the board shall disclose to prospective students that additional information regarding the college may be obtained by contacting the State Board of Independent Colleges and Universities, Department of Education, Tallahassee. The college 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 catalog.

(2) A license or certificate of exemption shall not be granted or renewed by the board unless the college seeking the action provides the board with a sworn statement of compliance with this section. The board shall prescribe the manner and form of the statement.

(3) The board may examine any complaint of nondisclosure to prospective students of colleges under the jurisdiction of the board and, if the college is found to be routinely handling these matters correctly, the complaint shall be disregarded. Complaints of nondisclosure against accredited colleges shall be forwarded by the board to the college and appropriate accrediting agency with a request that the board be advised of any and all actions taken in response to the complaint.

(4) Refusal to comply with this section is cause for denial or revocation of a license or a certificate of exemption under s. 246.111.

History-s. 4, ch. 76-43; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 9, 10, 16, ch. 79-385; s. 7, ch. 80-378; ss. 2, 3, ch. 81-318; ss. 13, 23, 24, ch. 82-203; s. 11, ch. 89-344; ss. 9, 19, 20, ch. 92-321.

246.101 Fees.--

(1) The State Board of Independent Colleges and Universities shall annually establish a fee schedule to generate, from fees, the amount of revenue appropriated for the operation of the board.

(2) For the 1992-1993 fiscal year, the board shall adopt a fee schedule consistent with this section.

(3) Beginning with the 1993-1994 fiscal year, the board shall include, as a part of its legislative budget request, a proposed fee schedule to generate the appropriated fee revenue required in the appropriations act. The board may adjust the amount of a college's fee as necessary to generate the fee revenue required in the appropriations act. However, the board may not add any category of fee that was not included in the legislative budget request. In the absence of legislative action to the contrary, the proposed fee schedule shall go into effect as proposed in the board's legislative budget request.

(4) The cost of routine services of the board, such as data collection and dissemination, shall be supported through a base fee. Nonpublic colleges operating pursuant to s. 246.084 are not required to pay the base fee. The base fee applies to all other nonpublic colleges. The board may adjust the fee based on the enrollment of the college. However, the fee assessed to the largest college may not exceed one-half of 1 percent of the amount appropriated for the board or \$1,500, whichever is less. The fee assessed to the largest college may not exceed three times the amount of the fee assessed to the smallest college.

(5) The board shall assess fees to defray the cost of workload for board activities that are specific to certain colleges. Such workload activities must relate to:

- (a) Licensure.
- (b) Annual reviews.
- (c) Special reviews.
- (d) Site visits.
- (e) Resolution of complaints for violation of fair consumer practices.
- (f) Approval to operate in Florida without offering educational programs.
- (g) Approval to use the term "college" or "university."
- (h) Review and collection of data submitted pursuant to s. 246.084 when the review and collection is performed by the board rather than an individual or group pursuant to s. 246.084(3).
- (i) Other workload activities as approved by the Legislature.

(6) The board may assess any college late fees for failure to timely submit required materials.

(7) If the board collects fee revenues of more than 120 percent of the appropriated fee revenue requirements for the fiscal year, the board shall use the collections in excess of 120 percent to provide a credit against the base fee assessed to all renewing institutions for the following year. The credit shall be prorated on the base fee payments by colleges for the prior year, exclusive of any related fee.

(8) All fees shall be submitted through the Department of Education to the Treasurer, to be deposited in the Institutional Assessment Trust Fund created by s. 246.31.

(9) All fees authorized to be collected are considered to be administrative fees and shall not be refundable.

History-s. 10, ch. 71-128; s. 6, ch. 72-203; s. 3, ch. 76-168; s. 2, ch. 77-426; s. 1, ch. 77-457; s. 112, ch. 79-400; ss. 2, 3, ch. 81-318; ss. 14, 23, 24, ch. 82-203; s. 12, ch. 89-344; s. 76, ch. 91-105; ss. 10, 19, 20, ch. 92-321.

246.111 Denial, probation, or revocation of license or certificate of exemption.

(1) Any temporary license, provisional license, or regular license, agent's license, certificate of exemption, or other authorization required under the provisions of ss. 246.011-246.151 may be denied, placed on probation, or revoked by the board. A college which has its certificate of exemption revoked shall become subject to the licensing provisions of the board. The board shall

promulgate rules for these actions. Placement of a college on probation for a period of time and subject to such conditions as the board may specify may also carry the imposition of an administrative fine not to exceed \$5,000. Such fine shall be deposited into the Institutional Assessment Trust Fund. Disciplinary action undertaken pursuant to this section against a college that is also licensed by the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools shall prompt disciplinary proceedings pursuant to s. 246.226.

(2) By December 1, 1992, the board shall adopt rules for taking action against any college that does not fully comply with the fair consumer practices required by s. 246.095.

History-s. 11, ch. 71-128; s. 3, ch. 76-168; s. 1, ch. 77-457; s. 13 ch. 78-95; ss. 2, 3, vh. 81-318; ss. 15, 23, 24, ch. 82-203; s. 28, ch. 86-145; s. 13, vh. 89-344; ss. 11, 19, 20, ch. 92-321.

246. 121 Designation "college" or "university".--

(1) The use of the title "college" or "university" in combination with any series of letters, numbers, or words is restricted in this state to colleges as defined in s. 246.021 which offer degrees as defined in s. 246.021 and fall into at least one of the following categories:

(a) A Florida college, public or nonpublic, accredited by:

1. The Commission on Colleges of the Southern Association of Colleges and Schools;
2. The Accrediting Commission for Independent Colleges and Schools of the Career College Association at the junior or senior college of business level;
3. The American Association of Bible Colleges; or
4. An agency recognized by the United States Department of Education to accredit professional degree programs above the baccalaureate level.

(b) A Florida or out-of-state college which has been in active operation and using the name since April 1, 1970.

(c) Colleges chartered in this state the credits or degrees of which are accepted for credit by at least three colleges that are fully accredited by a member of the Commission on Recognition of Postsecondary Accreditation, which were **exempt** prior to July 1, 1982, and which enroll no students who receive any state or federal financial aid for education.

(2) A college for which the board has issued a license or a certificate of **exemption** may use the title "college" or "university" in combination with any series of letters, numbers, or words if the college meets the standards set by rule for use of the title "college" or "university," and if the college has received approval by the board to use such title.

(3) If such a college is approved under subsection (2) to use the designation "college" or "university," a branch or extension of that college may use the name of the parent college, but shall include an indication of the location of the branch or extension.

(4) Any entity offering educational courses or programs of study beyond the elementary school level in Florida, whether or not college credit is awarded, shall be subject to the provisions of this section.

(5) An entity shall not use the term "college" or "university" in its name in Florida without approval by the board, unless the board determines that its name is clearly and accurately descriptive of the services provided by the entity and is not one that may mislead the public.

History-s. 12, ch. 71-128; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 16, 23, 24, ch. 82-203; s. 1, ch. 87-48; s. 14, ch. 89-344; ss. 12, 19, 20, ch. 92-321; s. 21, ch. 94-310.

246.131 Injunctive relief.--

The board may obtain an injunction or take any action it deems necessary against any college or agent in violation of ss. 246.011-246.151, but no such proceedings, and no orders issued therein or as a result thereof, shall bar the imposition of any other penalties which may be imposed for the violation of ss. 246.011-246.151.

History-s. 13, ch. 71-128; s. 2, ch. 72-203; s. 2, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 19, 23, 24, ch. 82-203; ss. 19, 20, ch. 92-321.

246.141 License not to be considered accreditation.--

The granting of a license under ss. 246.011-246.151 shall not be considered an accreditation.

History-s. 14, ch. 71-128; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 20, 22, 24, ch. 82-203; ss. 19, 20, ch. 92-321.

246.151 Penalties.--

Any person who violates any of the provisions of ss. 246.011-246.151 shall be punished as follows:

(1) For the first conviction, he or she is guilty of a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

(2) For a second or any subsequent conviction, he or she is guilty of a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

History-s. 3, ch. 72-203; s. 3, ch. 76-168; s. 1, ch. 77-457; ss. 2, 3, ch. 81-318; ss. 21, 23, 24, ch. 82-203; s. 121, ch. 83-217; ss. 19, 20, ch. 92-321; s. 90, ch. 95-148.

246.31 Institutional Assessment Trust Fund.--

(1) There is created an Institutional Assessment Trust Fund to be administered by the Department of Education pursuant to this section and rules of the State Board of Education. The trust fund shall consist of all fees and fines imposed upon nonpublic colleges and schools pursuant

to this chapter, including all fees collected from nonpublic colleges for participation in the common course designation and numbering system. The department shall maintain separate revenue accounts for the State Board of Independent Colleges and Universities, and the State Board of Independent Postsecondary Vocational, Technical, Trade, and Business Schools, and the Department of Education.

(2) Funds from the trust fund shall be used for purposes including, but not limited to, the following:

(a) Authorized expenses of the respective boards in carrying out their required duties.

(b) Financial assistance programs for students who attend nonpublic institutions licensed by the board.

(c) Educational programs for the benefit of current and prospective owners, administrators, agents, and faculty of institutions licensed by the board.

(d) Authorized expenses of the Department of Education incurred as a result of the inclusion of nonpublic colleges in the common course designation and numbering system.

(3) The board may utilize other individuals or entities to administer the programs authorized in subsection (2).

History-ss. 23, 27, ch. 89-344; s. 78, ch. 91-105; s. 13, ch. 92-321.

APPENDIX C

Proposed New SBICU Rule Regarding Institutions
Offering Religious Degrees

New Rule

1

1 6E-1.0047 Authorization of Religious Colleges.

2 (1) Definitions. The following definitions shall apply
3 when these words or phrases are used in s. 246.084, Florida
4 Statutes, or in this rule:

5 (a) "Immediately precede, or be included within" a degree
6 title means that the religious modifier required by s.
7 246.084(1)(c), Florida Statutes, shall appear immediately before
8 any degree title listed in s. 246.084(1)(c), Florida Statutes
9 (for example, "Christian Bachelor of Arts") or physically inside
10 the words contained in those degree titles (for example,
11 "Bachelor of Christian Arts"). A degree title in which the
12 religious modifier follows the words contained in those degree
13 titles (for example, "Bachelor of Arts in Christianity") does not
14 comply with this requirement.

15 (b) "Formal designation" means an executed Form SBICU 525,
16 Formal Designation, effective _____, 1997, signed by the
17 president or chief administrative officer of a college,
18 designating an individual or group to represent the college
19 before the board pursuant to ss. 246.041(1)(f) and 246.084,
20 Florida Statutes. Form SBICU 525 is hereby incorporated by
21 reference and made a part of this rule. Copies of this form may
22 be obtained without cost by contacting the State Board of

1 Independent Colleges and Universities, Department of Education,
2 Tallahassee, Florida 32399; telephone (850)488-8695.

3 (2) Institutions wishing to apply for authorization
4 pursuant to s. 246.084, Florida Statutes, shall refer to that
5 statute for the criteria required. Application for authorization
6 shall include an executed Form SBICU 501, Application for
7 Colleges Under 246.084, F.S., Authorization, effective _____,
8 1997, along with documentation supporting the application. Form
9 SBICU 501 is hereby incorporated by reference and made a part of
10 this rule. Each application for authorization shall also be
11 accompanied by a copy of Form SBICU 400, Transmittal of Fees,
12 effective _____, 1997, indicating that the appropriate workload
13 fee has been submitted to the Comptroller of the Department of
14 Education pursuant to the instructions on the form. See Rule
15 6E-1.0034(6), FAC, for adoption of Form SBICU 400. Copies of
16 these forms may be obtained without cost by contacting the State
17 Board of Independent Colleges and Universities, Department of
18 Education, Tallahassee, Florida 32399; telephone (850)488-8695.

19 (3) Recognition of individuals or groups pursuant to s.
20 246.041(1)(f), Florida Statutes. For an individual or group to
21 be recognized by the board solely to represent colleges in
22 appearances before the board on routine matters such as

1 participation in board meetings and discussions pursuant to s.
2 246.041(1)(f), Florida Statutes, the individual or group shall
3 submit to the board a copy of formal designation (Form SBICU 525)
4 by each college to be represented.

5 (4) Recognition of individuals or groups pursuant to s.
6 246.084(3), Florida Statutes. For an individual or group to be
7 considered for entering into an agreement with the board pursuant
8 to s. 246.084(3), Florida Statutes, to oversee the review and
9 collection of the data enumerated in s. 246.084(1)(e) and (f),
10 Florida Statutes, the individual or group shall submit to the
11 board a proposal outlining:

12 (a) That the individual or officers of the group
13 demonstrate a minimum of five years of previous experience in
14 postsecondary education administration, or the administration or
15 operation of a postsecondary educational association, and that
16 the group or individual will be based in, and operate in, the
17 State of Florida; and that the group or individual will attend a
18 training seminar sponsored by the board.

19 (b) A copy of formal designation (Form SBICU 525) for each
20 college from which data will be collected by the individual or
21 group, contingent upon board approval of the individual or group;

22 (c) How the individual or group will ensure timely

1 communication with the participating colleges, timely collection
2 and review of the data, and timely reporting to the board,
3 including a complete copy of all materials received and the
4 recommendation of the individual or group for each college,
5 within 30 days of collecting the data:

6 (d) How the individual or group will determine the accuracy
7 of data collected:

8 (e) How the individual or group will notify the board if
9 the data shows that a college fails to comply, or no longer
10 complies, with the requirements of s. 246.084, Florida Statutes;
11 and

12 (f) How the individual or group will ensure that the
13 board's guidelines for use of the term "college" or "university"
14 are met by each of its colleges using such terms, pursuant to s.
15 246.121, Florida Statutes, and Rule 6E-1.0045, FAC.

16 (5) Upon board approval to enter into an agreement pursuant
17 to s. 246.084(3), Florida Statutes, the individual or group shall
18 agree to:

19 (a) Provide the board with a copy of all documentation
20 received from the colleges pursuant to seeking authorization:

21 (b) Forward this documentation to the board within 30 days
22 of completion of the review for each college, and otherwise

1 timely communicate with the board and the colleges:

2 (c) Notify the board within 30 days of any college that is
3 not in compliance with the statutes or rules regarding
4 authorization; and

5 (d) Comply with all provisions of Chapter 119, Florida
6 Statutes, regarding public records; s. 286.011, Florida Statutes,
7 requiring public meetings; and s. 120.525, Florida Statutes,
8 regarding notice of public meetings for deliberations regarding
9 authorization.

10 (6) Recognition of groups pursuant to s. 246.084(2),
11 Florida Statutes. For a group to be considered for entering into
12 an agreement with the board pursuant to s. 246.084(2), Florida
13 Statutes, to certify to the board that an authorized college
14 complies with the minimum standards for licensure and therefore
15 is not required to include a religious modifier in the titles of
16 its degrees, the group shall submit to the board a proposal
17 outlining:

18 (a) The qualifications and experience of the group in
19 evaluating colleges, which shall include at least 5 years of
20 experience using standards at least as stringent and complex as
21 the board's licensing standards, and participation in a training
22 program to be developed by the board. The training program may

1 be waived in instances where the group can demonstrate equivalent
2 knowledge:

3 (b) A copy of formal designation (Form SBICU 525) for each
4 college wishing to be evaluated by the group, contingent upon
5 board approval of the group;

6 (c) How the group plans to carry out evaluations of
7 colleges in a manner comparable to those done by the board,
8 including timetables for onsite committee visits and other
9 requirements for at least Level II Provisional licensure;

10 (d) How the group plans to ensure that complete
11 documentation supporting its certification will be provided to
12 the board within 30 days of making the determination that at
13 least the Level II Provisional licensure standards are met and at
14 least 30 days before recommending its certification to the board;

15 (e) How the group plans to monitor certified colleges at
16 least annually to determine continued maintenance of at least
17 Level II Provisional licensure standards, and to report those
18 findings to the board; and

19 (f) How the group plans to identify colleges who fail to
20 meet or to maintain at least Level II Provisional licensure
21 standards, and to report those findings to the board.

22 (g) In addition to a complete copy of the materials

1 collected and the findings made for each college being certified
2 pursuant to s. 246.084(2), Florida Statutes, the recognized group
3 shall submit an executed and notarized copy of Form SBICU 530,
4 Certification of Authorized College Meeting Licensure Standards,
5 effective _____, 1997. Form SBICU 530 is hereby incorporated by
6 reference and made a part of this rule. Copies of this form may
7 be obtained without cost by contacting the State Board of
8 Independent Colleges and Universities, Department of Education,
9 Tallahassee, Florida 32399; telephone (850)488-8695.

10 (7) Any recognition or approval of, or agreement with, an
11 individual or group pursuant to this rule shall be reviewed
12 annually by the board to determine whether the individual or
13 group shall continue to be recognized.

14 (8) Any recognition, approval, or agreement pursuant to
15 this section may be withdrawn by the board for cause, such as
16 failure to comply with the provisions of s. 246.084, Florida
17 Statutes, or this rule; or may be voluntarily dissolved by the
18 individual, college, or group involved, upon 30 days notice by
19 either party. Upon such withdrawal or dissolution, the colleges
20 represented by the individual or group shall be given written
21 notice, and shall immediately revert to oversight by the board
22 pursuant to ss. 246.011-246.151, Florida Statutes, unless the

1 board approves the transfer of their oversight to another
2 board-designated individual or group.

3 Specific Authority 246.041(1)(e), 246.051(1), 246.071 FS.

4 Law Implemented 246.084, FS. History--New _____ -97.

APPENDIX D

Licensure Requirements of Select States

POSTSECONDARY EDUCATION PLANNING COMMISSION

Licensure Requirements of Select States

EXPLANATION OF COLUMN HEADS

- #1. All independent postsecondary institutions must be licensed by the state.
- #2. Out-of-state institutions must be licensed by the state, regardless of accreditation.
- #3. Licensure required for every branch and/or educational site of in-state independent postsecondary institutions.
- #4. Licensure required for every branch and/or educational site of out-of-state independent postsecondary institutions.
- #5. Exemptions granted to regionally accredited institutions.
- #6. Exemptions granted to all U.S. Department of Education approved accredited institutions.
- #7. Exemptions granted to religious institutions that prepare students solely for religious vocations. No degrees or diplomas awarded.
- #8. Exemptions granted to religious institutions that prepare students for religious vocations. Award degrees but must contain religious modifiers within degree title.
- #9. Exemptions granted to certain religious institutions that grant degrees without religious modifiers.
- #10. Approximate percentage of total independent postsecondary institutions licensed by state (in some cases, when hard data was not available, administrators were asked for rough estimates).

STATE	AGENCY	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10
California	The Council for Private Postsecondary Vocational Ed. ¹	-	- ²	√ ³	√ ³	√	√	√	√	-	66%
Colorado	The Commission on Higher Education ⁴	√	-	-	-	-	-	-	-	-	100%

¹ As of January 1, 1998, the Council's functions will be absorbed by the Consumer Affairs Department of California.

² Nonprofit institutions which exclusively offer degrees and satisfy other requisites are eligible for exemption.

³ Currently any branch which is 50 miles or more from the main campus must be licensed separately. This rule will be eliminated beginning January 1, 1998.

⁴ Two year proprietary schools are approved by the Department of Education, Office of Private Occupational Schools.

STATE	AGENCY	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10
Connecticut	Department of Higher Education, Board of Governors	√	√	√	√	- ⁵	-	-	-	-	100%
Florida	The State Board of Independent Colleges and Universities	-	√	-	-	√	-	√	√	√	26% ⁶
Georgia	Nonpublic Postsecondary Ed. Commission	-	-	√	√	-	-	√	√	-	60%
Kentucky	Council on Postsecondary Education ⁷	√	-	√	√	-	-	-	-	-	100%
Louisiana	LA State Board of Regents ⁸	-	-	-	-	-	-	-	√	-	24%
Massachusetts	The Board of Higher Ed. ⁹	√ ¹⁰	-	-	*	-	-	-	-	-	88%

States have separate licensure boards.

*Does not have to be licensed separately if offering the same program as main campus. If program is different from main campus, separate license is required.

⁵ In order to have courses from out-of-state institution transfer to Connecticut schools, the out-of-state institution must have regional accreditation.

⁶ This percentage does not include individual branch campuses or educational sites which are associated with main campuses and not licensed separately.

⁷ Licenses all nonprofit independent institutions (2 & 4 year) and all four year for-profit institutions. Two year (and lower) for-profit institutions are licensed by the State Board for Proprietary Education.

⁸ Licenses all 2 and 4 year degree granting postsecondary institutions. Nondegree granting institutions are licensed by the Proprietary School Bureau.

⁹ Includes all degree granting, 2 and 4 year institutions. Nondegree/certificate granting institutions fall under the jurisdiction of the Department of Education.

¹⁰ Institutions which were chartered legislatively prior to 1943 and have not changed are the only exceptions. These institutions include Harvard and MIT.

STATE	AGENCY	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10
Minnesota	Higher Ed. Services Office	-	√ ¹¹	-	-	-	-	√ ¹²	√	-	95-100%
New Jersey	Commission on Higher Ed.	√	√	√	√	-	-	- ¹³	-	-	100% ¹⁴
New York	The Board of Regents of NY	√ ¹⁵	√	√ ¹⁶	-	+	-	√	-	-	¹⁰
North Carolina	The Planning Div. of the UNC System	-	-	√	√	-	-	- ¹⁷	√	-	5-10%
Oregon	Office of Degree Authorization ¹⁸	√	-	-	-	- ¹⁹	-	-	-	-	100%

+ The NY Board of Regents is an accrediting agency.

¹¹ Includes institutions that offer education that does not require leaving Minnesota to complete the course or program.

¹² Also exempts institutions preparing people in matters of faith but the exemption does not apply to nonreligious courses or programs.

¹³ The Commission on Higher Education does not handle nondegree granting institutions.

¹⁴ Seven charter schools are exempt from certain procedures but must still be licensed.

¹⁵ As long as a degree is offered.

¹⁶ Every branch of extension center must be licensed as defined in regulations.

¹⁷ Nondegree programs are under jurisdiction of the Community College system.

¹⁸ This office authorizes (rather than licenses) any offer of credit toward academic degrees. Nondegree private career colleges or "schools" are licensed by a unit of the Department of Education. Public community colleges are regulated by a separate branch of the Department of Education.

¹⁹ Under a 1997 statute, a school that has at least one campus in Oregon that has been regionally accredited as a separate institution for 5 years under the same control, is released from renewal reviews if it agrees to arbitration of consumer complaints by the ODA. This is not an exemption.

STATE	AGENCY	#1	#2	#3	#4	#5	#6	#7	#8	#9	#10
Pennsylvania	Bureau for Postsecondary and Higher Education	√ ²⁰	√	-	√	-	-	√ ²¹	-	-	100%
South Carolina	SC Commission on Higher Ed.	-	√	√	√	-	-	√	√	-	50%
Tennessee	TN Higher Ed. Commission, Office of Postsecondary School Authorization	-	√	√ ²²	√ ²²	√	-	√ ²³	-	-	70%
Texas	The TX Higher Ed. Coordinating Board	-	-	√	√	√	√	√	-	-	<1% ²⁴
Virginia	The VA Council of Higher Ed.	-	-	-	√	-	-	√	-	-	33%

²⁰ There are some institutions which, through their original charter, do not have to apply for new degree program approval through the state.

²¹ The Bureau for Postsecondary and Higher Education does not require approval for institutions which do not award academic degrees.

²² Only exception is when the program is identical such as H&R Block's training program.

²³ Must be offered through a church congregation.

²⁴ Most schools are exempt due to regional accreditation

APPENDIX E

Closed Institutions -
State Board of Independent Colleges And Universities

SBICU COLLEGES CLOSED SINCE 1992

AUTHORIZED RELIGIOUS COLLEGES

<u>YEAR CLOSED</u>	<u>NAME</u>	<u>DISPOSITION OF RECORDS</u>
1995	Arenia Mallory-Albany Sch. of Relig.	?
1994	Boston University School of Theology	Home campus?
1993	Calvary Bible Institute	?
1994	Central Bible Institute	?
1996	Christian Leadership University	?
1994	Cincinnati Bible College & Seminary	Home campus?
1993	Compassionate Outreach Ministries	?
1996	Drew University School of Theology	Home campus?
1993	Evangel Bible School	?
1993	Faith School of Theology	?
1993	Florida School of Preaching	?
1993	Friendship Baptist Coll. of Bible	?
1994	Gulf Shore Christian College	?
1995/6	Harvest Christian College	?
1993	Heartland Christian College & Seminary	?
1993	In Christ School of Ministry	?
1992	Institute of Biblical Care	?
1993	Institute of Ministry Christian Retreat	?

<u>YEAR CLOSED</u>	<u>NAME</u>	<u>DISPOSITION OF RECORDS</u>
1993	LAC Bible School by Mail	?
1993	Lee College	?
1993	Leesburg Bible College	?
1997	Liberty Christian College	?
1993	Liberty Theological Seminary	?
1992	Messianic Bible Institute	?
1992	Miami Theological Seminary	?
1996	Dr. Minnie L. Mitchell's Community Bib. Coll.	?
1994	North Florida Baptist Theological Seminary	?
1992	Oasis Ministerial Institute	?
1993	Palm Beach Baptist Bible Institute	?
1992	Prophets Bible School and Seminary	?
1993	Romanian Theological Institute	?
1993	St. John's Christian College	?
1992	Southern Christian University	?
1994	Tampa Bay Theological Seminary	?
1997	Trinity Evangelical Seminary of Florida	Another Chr. Coll. in NC
1996	Trinity School of Biblical Studies	?
1994	Urban University Seminary	?
1993	Vanguard Christian College	?

YEAR
CLOSED

NAME

DISPOSITION
OF RECORDS

1992	Vision Christian University	?
1993	Western Conservative Baptist Seminary	?
1992	Word-Up Bible Institute	?

SBICU COLLEGES CLOSED SINCE 1992

LICENSED

<u>YEAR CLOSED</u>	<u>NAME</u>	<u>DISPOSITION OF RECORDS</u>
1993/4	American Open University of NYIT	Home Campus, NY
1994	Barna Institute	Nat'l School of Technology
1994	Bauder College	Home, Calif.
1994	Briarcliffe College	Lynn University
1992	Columbia School of Management	No students
1996	Florida College of Osteopathic Medicine	No students
1997	Florida College of Physician Assistants	SBICU office
1993	Loma Linda University	Home, Calif.
1997	Martin College	Unavailable
1996	Open University	Parent corp.
1992	Palm Beach Architectural Center	No students
1997	Phoenix College of Aeronautics	Parent corp.
1992	Thomas College	Home, Georgia
1994	Troy State University/Dothan	Home, Alabama
1995	West Virginia Career College	Webster College
1996	Wilmington College	Home, Delaware

APPENDIX F

**Complaints Lodged Against State Board of
Independent Colleges And Universities Institutions**

COMPLAINTS OF COLLEGES & UNIVERSITIES

1992 - 1996

1996 Written

Art Institute of Ft. Lauderdale (3)
City College (1)
Florida College Hospital of Health Sciences (1)
Florida Memorial College(3)
International Fine Arts College (4)
National-Louis University (1)
Nova Southeastern University (2)
Orlando College (FMUS) (1)
Tampa College (9)
Florida Institute of Technology(1)
Keiser College (3)
Bethune-Cookman College (3)
Ft. Lauderdale College (2)
Johnson & Wales University (1)
NEC-Bauder College (1)
Pensacola Christian College (1)
Saint Leo College (2)
Southern College (1)
Stetson University (1)
University of Miami (1)
Phillips Junior College (1)
St. Thomas University (2)
Walden University (1)
Edward Waters College (1)

1995 Written

Embry-Riddle Aeronautical University (1)
International Fine Arts College (1)
Keiser College (3)
Nova Southeastern University (6)
University of Tampa (1)
Bethune-Cookman College (1)
Florida Institute of Technology(1)
Ft. Lauderdale College (1)
Pensacola Christian College (1)
Tampa College (4)
Walden University (2)
Open University (1)

1996 Telephone

Art Institute of Ft. Lauderdale (2)
City College (3)
Edward Waters College (1)
Florida Southern College (1)
Ft. Lauderdale College (1)
International Fine Arts College (4)
ova Southeastern University (3)
Tampa College (14)
University of Miami (2)
Webster College (2)
Bethune-Cookman College (2)
Jacksonville University (1)
Keiser College (6)
Martin College (1)
Orlando College (1)
Rollins College (1)
Florida Technical College (2)
Open University (4)
Phillips Junior College (1)
Ward Stone College (1)
West Virginia Career College (1)
Union Institute (1)
University of Orlando (1)

1995 Telephone

Keiser College (5)
National-Louis University (1)
Nova Southeastern University (4)
Palm Beach Atlantic College (1)
Southern College (1)
Tampa College (7)
Barry University (2)
Bethune-Cookman College (1)
Florida Institute of Technology(1)
Florida Southern College (1)
International Fine Arts College (6)
Jones Colleges (2)

1995 Written

Saint Leo College (1)
University of Sarasota (1)

1994 Written

Art Institute of Ft. Lauderdale (2)
International Fine Arts College of Fashion (1)
Jacksonville University (1)
Nova Southeastern University (5)
Orlando College (4)
Phillips Junior College (2)
Ringling School of Art and Design (1)
Tampa College (4)
Florida Technical College (1)
Keiser College (3)
Stetson University (1)
Walden University (1)
Ft. Lauderdale College (1)
Jones College (1)
Palm Beach Atlantic College (2)

1995 Telephone

Keiser College (1)
Miami Institute of Psychology (1)
Nova Southeastern University (2)
Orlando College (2)
Schiller University (1)
University of Miami (3)
Walden University (1)
Edward Waters College (2)
Phillips Junior College (1)
Ringling School of Art (1)
City College (1)
Devry Institutes (1)
Florida Technical College (1)
Jacksonville University (1)
Open University (1)
Stetson University (1)

1994 Telephone

Art Institute of Ft. Lauderdale (2)
International Fine Arts College (4)
Nova Southeastern University (6)
Palm Beach Atlantic College (1)
Phillips Junior College (4)
Southern College (3)
Tampa College (10)
Barry University (2)
Edward Waters College (1)
Embry-Riddle Aeronautical University (1)
Florida National College (3)
Ft. Lauderdale College (7)
Lynn University (1)
Rollins College (1)
Union Institute (1)
University of Tampa (1)
West Virginia Career College (1)
Barna College (1)
Career City College (1)
Florida Technical College (1)
Orlando College (3)
St. Thomas University (1)

1993 Written

Art Institute of Ft. Lauderdale (3)
Florida Memorial College (1)
Florida Technical College (3)
Ft. Lauderdale College (1)
Intl. Academy of Merchandising & Design
International Fine Arts College (1)
Orlando College (5)
Tampa College (7)
Nova Southeastern University (3)
Jacksonville University (1)
NEC-Tampa Technical College (1)
Phillips Junior College (1)
Embry-Riddle Aeronautical University (1)
Jones College (1)
Stetson University (1)

1992 Written

Art Institute of Ft. Lauderdale (3)
Caribbean Ctr. for Advanced Studies (1)
Florida Institute of Technology (1)
Orlando College (4)
Phillips Junior College (3)
Tampa College (5)
Walden University (1)
Barry University (1)
Embry-Riddle Aeronautical University (1)
Fl. Baptist Theological College (1)
Florida Southern College (1)
Ft. Lauderdale College (1)
Int. Acad. of Mdse. & Design (1)
International Fine Arts College (1)
Jones College (1)
Keiser College (1)
Florida Technical College (1)

1993 Telephone

Florida Technical College (1)
International Fine Arts College (4)
Jones College (5)
Keiser College (6)
Nova Southeastern University (3)
Orlando College (10)
Rollins College (1)
St. Leo College (1)
Southeastern College (1)
Tampa College (15)
Art Institute of Ft. Lauderdale (1)
Bethune-Cookman College (3)
Edward Waters College (1)
Ft. Lauderdale College (3)
Int. Acad. of Mdse. & Design (2)
NEC-Tampa Technical College (1)
SE University of Health & Sciences (2)
Webster College (2)
Phillips Junior College (3)
University of Tampa (1)
Florida Institute of Technology (1)
Southern College (1)

1992 Telephone

Art Institute of Ft. Lauderdale (1)
Eckered College (1)
Florida National College (2)
Florida Technical College (2)
Keiser College (2)
Nova Southeastern University (3)
Orlando College (11)
Phoenix College of Aeronautics (1)
St. Thomas University (2)
Southern College (4)
Tampa College (13)
University of Miami (1)
Webster College (10)
Barna College (1)
Barry University (3)
Career City College (2)
Ft. Lauderdale College (11)

1992 Written

Nova Southeastern University (1)
Ringling School of Art (1)
University of Miami (1)

1992 Telephone

Florida Institute of Technology (1)
Florida Memorial College (11)
International Fine Arts College (7)
St. Leo College (1)
Fl. Baptist Theological College (1)
Florida Southern College (2)
Jones College (5)
Phillips Junior College (3)
Ringling School of Art (1)
NEC-Bauder College (1)
Edward Waters College (1)

Appendix G

Oversight Visits
State Board of Independent Colleges and Universities

SBICU OVERSIGHT VISITS 1992-1997

Staff visit: various statutory responsibilities related to licensure

Initial visit: related to initial licensure requests

Compliance: related to violation of standards or consumer protection

Emergency: school closing, train-outs, etc.

Joint Accreditation: visit in conjunction with accreditation visit

Investigative: related to registered complaint

Unannounced: staff or board members make unannounced visit to institution

FREEBERG 6/97 --1/92

DATE	SCHOOL VISIT	COMMENTS
5/13-16/97	Tampa College, City College	Joint Accreditation
3/21-22/97	Lynn University	Staff Visit
2/17/97	Fuji Phoenix College	Staff Visit
1/21-23/97	City College, Lynn Univ., Int'l Fine Arts, South College	Staff Visit
1/8/97	Full Sail College	Initial Visit
12/19/96	Religious Schools Meeting	Staff Visit
12/16-18/96	Lynn University, Int'l Fine Arts	Staff Visit
11/25/96	International Fine Arts College	Compliance
10/14-15/96	Southwest Florida College	Joint Accreditation
9/17/96	Eckerd College	Staff Visit
6/10/96	Ft. Lauderdale College, Lynn University, Schiller Int'l University	Staff Visit
3/4/96	Edward Waters College	Staff Visit
2/13-14/96	Florida Metropolitan University Tampa College	Unannounced Visit

2/8/96	Tampa College	Joint Accreditation
1/23/96	Schiller Int'l University	Staff Visit
12/9/95	Wilmington College	Compliance
12/6/95	University of Orlando	Staff Visit
11/14/95	Phillips Colleges	Staff Visit
10/25/95	Orlando College Melbourne	Joint Accreditation
10/15-18/95 10/19/95	International College/Naples Webster Technical Institute	Joint Accreditation Initial Visit
10/2-4/95	Florida Metropolitan University	Emergency Visit
10/8-10/95	Phillips Jr. College, Keiser College	Special Visit
9/25/95	Florida College	Joint Accreditation
9/13/95	Florida Metropolitan University	Staff Visit
8/15/95	University of Orlando	Unannounced Visit
7/26-27/95	Lynn University, Keiser College City College, Art Institute	Compliance Visit
7/11-12/95	Southern College, Florida Technical University, Full Sail Center	Staff Visit
6/25/95	Wilmington College	Compliance Visit
5/16/95	Florida College	Compliance Visit
4/28/95	Jacksonville University	Staff Visit
4/19/95	Full Sail Center	Initial visit
4/5/95	Florida Culinary Institute of the New England Schools	Initial visit
3/15/95	Florida Technical University	Compliance Visit
2/22/95	Florida National College	Joint Accreditation
2/10-11/95	Johnson & Wales University	Staff Visit
2/8/95	Schiller International University	Compliance
1/11/95	Florida Technical College	Compliance

1/8/95	West Virginia Career College Phoenix College of Aeronautics	Compliance
12/15/95	NEC Bauder	Special Visit
12/7/94	New York Institute of Technology	Compliance
12/6/94	Trinity College	Compliance
11/15-16/94	Edward Waters College, Art Institute	Joint Accreditation
11/10/94	Florida Institute	Initial Visit
11/9/94	College of St. Francis	Staff Visit
10/4/94	Trinity College of Florida	Joint Accreditation
9/13/94	Orlando College East Campus	Joint Accreditation
8/29/94	Art Institute	Compliance
8/18/94	South College	Compliance
8/7/94	Phoenix College	Compliance
7/27/94	NEC Bauder	Staff Visit
6/14/94	Barna College	Joint Accreditation
6/28/94	NEC Bauder College	Emergency Visit
5/22/94	Jones College	Compliance Visit
5/17/94	Schiller International University	Compliance Visit
5/3/94	Barna College	Compliance
4/18/94	Phillips Junior College	Compliance
4/4/94	Florida Hospital College	Compliance
3/24/94 3/13-15/94	Edward Waters College	Staff Visit Joint Accreditation
2/21/94	Edward Waters College	Committee Visit
2/6-8/94	Johnson & Wales University Southwest Florida College	Joint Accreditation
2/4/94	Phillips College	Emergency Visit
2/2/94	Academy of Merchandising and Design	Joint Accreditation

1/30/94	Career City College	Joint Accreditation
12/8/93	Troy State University-Fl Region	Staff Visit
12/10/93	Florida Technical College	Staff Visit
12/16/93	Trinity College	Staff Visit
11/19/93	Tampa College	Staff Visit
10/8/93	Troy State University	Staff Visit
10/6/93	Briarcliffe College	Emergency Visit
10/12-13/93	Webster College (Ocala & Gainesville)	Staff Visit
9/14-15/93	Edward Waters College, Jones College, Jacksonville University, St. Francis College-Jacksonville, Ocala, Webster College	Compliance
9/27/93	Orlando College	Joint Accreditation
9/23/93	Stetson University	Staff Visit
9/22/93	Florida Technical College	Staff Visit
8/25/93	Phoenix College	Staff Visit
8/20/93	Edward Waters College	Staff Visit
8/3/93	Florida Hospital College	Compliance
7/26/93	Tampa College	Compliance
7/14/93	Barna College	Compliance
7/8/93	Webster College	Staff Visit
6/10/93	Edward Waters College	Compliance
5/10/93	Tampa College	Joint Accreditation
5/7/93	Florida Career Institute , Tampa College	Compliance
3/15/93	Barry University	Compliance
3/19/93	Phillips Colleges	Joint Accreditation
3/8/93	Troy State University	Joint Accreditation
2/18/93	Phillips Colleges, Inc.	Compliance

2/15/93	Barna College	Staff Visit
2/9/93	Ft. Lauderdale College	Joint Accreditation
2/2/93	Florida Technical College	Compliance
1/21-25/93	International College, Florida National College	Joint Accreditation
1/15/93	Branches of Southern Illinois Univ.	Compliance
12/1-4/92 12/10/92	Florida Hospital College, Orlando College, Florida Technical College, College of St. Francis, Phillips Junior College, Keiser, College of St. Francis Art Institute, South College, Martin College.	Unannounced Visits Staff Visits
11/17/92	Florida National College	Compliance
10/26-29/92	Webster College, West Virginia College, Career City College	Joint Accreditation
9/25/92 9/30/92	Walden University Fort Lauderdale College	Compliance Visits
9/11/92 9/17/92	Barna College Trinity College	Compliance Visit Joint Accreditation
7/16/92	Luther Rice Seminary	Compliance
6/9-11/92	Webster College	Joint Accreditation
6/23-24/92	Florida National College	Compliance
5/28-29/92	South College	Joint Accreditation
5/19-20/92	Florida National College	Joint Accreditation
4/24/92	Trinity Baptist College	Compliance
2/17/92	Florida Christian College	Staff Visit
2/6/92	Barna College	Compliance
1/29/92	Florida Technical College	Staff Visit
1/23-24/92	Webster College Center/Trinity College	Compliance
1/17/92	Florida National College	Compliance
1/10/92	Fort Lauderdale College	Committee Visit

KNIGHT 1/92-6/97

DATE	SCHOOL VISIT	COMMENTS
6/15-16/97	Florida Coastal School of Law	Committee Visit
10/29-30/96	Martin College	Joint Accreditation
10/1/96	American Flyers College	Committee Visit
7/8/96	Nova Southeastern University	RE: Fla. Coll. of Physical Assistants
2/21/96	Kennedy Western University	Investigative
8/9/95	Florida Coastal School of Law Logos Theological Seminary ITT Technical Institute	Regular Staff Visit Pre-licensure Visit Regular Staff Visit
6/19/95	NEC Tampa Technical Institute	Joint Accreditation
4/24/95	Florida College of Osteopathic Medicine	Accreditation
3/20/95	Florida College of Osteo. Medicine	Committee Visit
1/27/95	Union Institute, Institute of Physical Therapy	Regular Staff Visit
1/25-27/95	American Institute of Medicine	Joint Accreditation
1/2-3/95	Florida Coastal School of Law	Pre-licensure site appr
10/18/94	Martin College	Committee Visit
6/3//94	Briarcliffe College	Special visit to oversee transfer of student records
5/23/94	Southern College	Joint Accreditation
4/5-8/94	Southern Illinois University Columbia College, Full Sail School, Open University, ITT Technical Institute	Regular Staff Visits
11/2/93	Briarcliffe College	Emerg Compliance visit --college closing
8/31/93	Briarcliffe College	Compliance

5/10-14/93 5/18-19/93	NEC Bauder College Bay Medical Center	Joint Accreditation Pre-licensure staff visit
12/7-9/92	Johnson & Wales, American Flyers College, Union Institute, SECOM	Regular Staff Visit
9/13-16/92	University of Sarasota National Louis University	Committee Visit Unannounced
7/30/92	Institute of Graduate Physical Therapy	Regular Staff Visit
8/12/92	ITT Technical Institute, Beacon College	Regular Staff Visit
5/25-29/92	University of Sarasota	Committee Visit
2/3-4/92	Ward Stone College	Committee Visit
1/20-23/92	University of Sarasota, National Louis University, ITT Technical Inst., Tampa Techni	Regular Staff Visit
1/26-28/92	Johnson & Wales University American Flyers College Bauder College	Pre-licensure/Site Approval Regular Staff Visit Regular Staff Visit

BELLIA 1/94--6/97

DATE	SCHOOL VISIT	COMMENTS
3/20/97	Union Institute	Staff Visit
1/9/97	University of Phoenix	Committee Visit
10/9/96	University of Phoenix	Staff Visit
2/22/96	Kennedy Western University	Investigative Visit
9/12-14/95	Open University, Shanghai Institute of Traditional Medicine	Committee Visit
6/8/95	Goodings Institute	Staff Visit
5/23/94	Southern College	Joint Accred. Visit
4/17-18/95	Open University	Committee Visit
4/5-8/94	Southern Illinois University, Columbia College, Full Sail School, Open University, ITT Technical Institute.	Staff Visits

DOES NOT INCLUDE RESOLUTIONS OF PROBLEMS CONDUCTED BY TELEPHONE OR WRITTEN CORRESPONDENCE