

6E-1.003: Definition of Terms

SUMMARY: The rule defines an additional location as any location other than auxiliary classroom space that supports a licensed institution and defines a Florida student as a student attending a campus located in Florida or for distance education, a student who receives materials at a Florida address.

Words ~~stricken~~ are deletions; words underlined are additions

Terms used in these rules are defined in Section 1005.02, F.S. In addition, as used in the rules of the Commission, unless the context clearly indicates otherwise:

(1) “Accredited Foreign Medical Schools” means institutions chartered outside the United States, in a nation whose accreditation standards have been determined by the United States Department of Education to be comparable to the accreditation standards applied to United States medical schools, when the foreign medical school has been inspected and evaluated by the nation’s recognized agent and approved or accredited by its home nation using those comparable standards.

(2) “Additional Locations” means any locations other than auxiliary classroom space that supports a licensed institution.

(2) through (33) renumbered (3) through (34) No change.

(35) “Florida Student” means any student enrolled at a Florida campus of a licensed institution and for distance education, a student whose mailing address for purposes of receiving distance education lessons and materials from the school, is a Florida address.

(34) through (58) renumbered (36) through (60) No change.

Rulemaking Specific Authority 1005.22(1)(e) FS. Law Implemented 1005.22, 1005.31, 1005.385 FS. History—
Repromulgated 12-5-74, Amended 7-28-75, Formerly 6E-4.01(8), Readopted 11-11-75, Amended 3-7-77, 10-13-83,
Formerly 6E-1.03, Amended 2-22-89, 11-29-89, 10-19-93, 4-11-00, 1-7-03, 12-23-03, 7-20-04, 3-28-05, 6-13-05, 2-20-06,
7-23-07,_____.

6E-2.004: Standards and Procedures for Licensure

SUMMARY: The rule incorporates five forms. CIE Form 801, entitled “Annual Student Data Collection for Non-Institutionally Accredited Institutions”, describes the methodology to calculate student placement and retention for non-accredited institutions and is the form to be used by non-institutionally accredited institutions to report information to the Commission for licensure and enrollment. The rule incorporates CIE Form 802, entitled “Annual Student Data Collection for Institutionally Accredited Institutions”; this form will be used by institutionally accredited institutions to report enrollment data to the Commission. The rule also incorporates two forms to be used by accredited institutions to report placement and retention data, if required by their accrediting agency. Two forms are included to accommodate the two methods accrediting agencies utilize. CIE Form 803, entitled “Placement and Retention Reporting for Institutionally Accredited Institutions – Institutional Reporting”, is designed to report information where the accrediting agency requires institution-wide reporting and CIE Form 804, entitled “Placement and Retention Reporting for Institutionally Accredited Institutions – Programmatic Reporting”, is designed to report information where the accrediting agency requires programmatic reporting. The fifth form, CIE Form 604, entitled “Selected Financial Data”, requires licensed institutions to list information already required by rule about their assets and liabilities on the form in order to assist with licensure decision. Additionally, the proposed rule clarifies that institutions may not offer cash or non-monetary incentives to prospective students to visit an institution.

Words ~~stricken~~ are deletions; words underlined are additions

6E-2.004 Standards and Procedures for Licensure.

Institutions applying for a license or moving to a new level of licensure or any other Commission action shall provide all required information to the Commission in English. Institutions providing information to students in a language other than English must retain a translation certifying the accuracy of the language of the documents in English. All information and documentation submitted pursuant to the provisions of these rules shall be accompanied by certification signed by the chief administrative officer of the institution, affirming that the information and documentation submitted is accurate. Any application or review which is not substantially complete shall be returned to the institution with a request to complete and resubmit the material.

(1) through (3) No change.

(4) Standard 4: Educational programs and curricula. The following standards shall apply to all institutions licensed by the Commission for Independent Education, except as expressly stated otherwise.

(a) No change.

(b) Programs preparing the student for an occupation or professional certification shall conform to the standards and training practices generally acceptable by the occupational or professional fields for which students are being prepared. If the practice of the occupation or profession is regulated, licensed, or certified by a state or national agency, unless the institution provides the disclosure provided in subsection 6E-1.0032(5), F.A.C., the institution must document to the Commission that successful completion of the program will make ~~qualify~~ the graduate eligible to take the licensing examination or to receive the appropriate certification or practice the profession.

(c) through (m) No change.

(n) The following instructional program standards apply to occupational associate degrees:

1. Program specifications: The credential offered shall be the Associate of Applied Science, Occupational Associate, Associate of Specialized Business, or similar title considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 1,200 clock hours of instruction, 60 semester credit hours, or 90 quarter credit hours pursuant to subsections 6E-1.003(15), (53) and (55) ~~(47) and (49)~~, F.A.C. The required general education component shall be at least 9 semester credit hours or 14 quarter credit hours, or the recognized clock hour equivalent. General education courses shall meet either of the definitions given in subsection 6E-1.003(6) or (33), F.A.C.

2. through 4. No change.

(o) The following instructional program standards apply to academic associate degrees:

1. Program specifications: The credential offered shall be the Associate in Science Degree, Associate of Arts Degree, or an associate degree of a different name that is considered by the Commission to be appropriate for an academic associate degree. The duration of the program shall be a minimum of 60 semester credit hours, 90 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Associate in Science degree shall be a minimum of 15 semester credit hours, 22.5 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Associate of Arts degree shall be a minimum of 36 semester credit hours, 54 quarter credit hours, or the recognized clock hour equivalent. General education requirements for other academic associate degrees shall be individually reviewed by the Commission to determine whether they are appropriate to the specific degree. Applied general education shall not be utilized to fulfill this requirement. All general education courses must meet the definition given in subsection 6E-1.003(38)~~(33)~~, F.A.C.

2. through 4. No change.

(p) The following instructional program standards apply to bachelor's degrees:

1. Program specifications: The credential offered shall be the Bachelor of Science Degree, Bachelor of Arts Degree, or other baccalaureate degree title considered by the Commission to be appropriate and not misleading. The duration of the program shall be a minimum of 120 semester credit hours, 180 quarter credit hours, or the recognized clock hour equivalent. The required general education component for a Bachelor of Science degree shall be a minimum of 30 semester credit hours, 45 quarter credit hours, or the recognized clock hour equivalent. The required general education component for the Bachelor of Arts degree shall be a minimum of 45 semester credit hours, 67.5 quarter credit hours, or the recognized clock hour equivalent. The general education requirements for other bachelor's degrees shall be appropriate to the specific degree. Applied general education shall not be utilized to fulfill this requirement. All general education courses must meet the definition given in subsection 6E-1.003(38), ~~6E-1.003(36)~~, F.A.C. Unless otherwise required by the accrediting agency, a minimum of 15 of the required general education credit hours or the recognized clock hour equivalents must be obtained at the bachelor's level.

2. through 4. No change.

(q) The following instructional program standards apply to master's degrees:

1. No change.

2. A bachelor's degree will normally be a prerequisite to formal entrance to a master's degree program, unless the master's degree is a first professional degree as defined in subsection 6E-1.003(33)(~~30~~), F.A.C.

3. Programs must have clearly defined and published objectives and performance outcomes.

(r) The following instructional program standards apply to doctoral degrees:

1. No change.

2. A master's degree will normally be a prerequisite to formal entrance to a doctoral degree program, unless the doctoral degree is a first professional degree as defined in subsection 6E-1.003(34), ~~6E-1.003(30)~~, F.A.C.

3. No change.

(5) Standard 5: Recruitment and Admissions. In all admissions and recruitment-related activities, the institution shall comply with the fair consumer practices provisions of Sections 1005.04 and 1005.34, F.S., and Rule 6E-1.0032, F.A.C., and the rule regarding Agents, Rule 6E-2.010, F.A.C.

(a) No change.

(b) Recruiting Practices. Each institution must observe ethical practices and procedures in the recruitment of its students. Ethical practices and procedures include, at a minimum, the following:

1. through 6. No change.

7. An institution shall not permit the payment of cash or other nonmonetary incentives, such as but not limited to travel or gift certificates, to any ~~student or prospective student~~ as an inducement to enroll or visit the institution. An institution shall not use the word "free" or its synonyms in reference to any equipment, tuition, books, or other items in conjunction with recruiting or advertising. ~~Tuition or fee discounts are not permissible;~~ Any any reductions of tuition or fees must comply with subsection 6E-1.0032(7), F.A.C.

8. through 9. No change.

(c) No change.

(6) Standard 6: Finances. All institutions must demonstrate that the financial structure of the institution is sound, with resources sufficient for the proposed operations of the institution and the discharge of its obligations to the students. To demonstrate this, the school shall provide the following:

(a) Provisional License:

1. No change.

2. A pro forma balance sheet prepared ~~in accordance with Generally Accepted Accounting Principles~~ for the type of institution making application.

3. If the corporation that controls the institution is ongoing, the institution shall provide a financial statement of the parent corporation ~~compiled~~ compiled, reviewed or audited in accordance with Generally Accepted Accounting Principles, prepared by an independent certified public accountant.

4. No change.

(b) Annual License, Extended Annual License, or Annual Review:

1. No change.

2. If an independent postsecondary educational institution earns less than \$100,000 gross tuition revenue per the institution's fiscal year, the institution shall provide both a financial statement of the institution and of the controlling ~~principals~~ principles. The financial statement shall be compiled, reviewed, or audited by an independent certified public accountant. These statements must demonstrate sufficient resources to ensure appropriate institutional development.

3. No change.

(c) No change.

(d) In addition to the financial information required above, institutions shall submit CIE Form 604, entitled Selected Financial Data (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00666>), effective _____ . This form is incorporated by reference and may be obtained without cost from the Commission's website at www.fldoe.org/cie or by writing to the Commission for Independent Education at 325 West Gaines Street, Suite 1414, Tallahassee, FL 32399-0400.

(7) Standard 7: Faculty.

(a) Nondegree Diploma Programs:

1. No change.

2. Faculty Qualifications. These standards shall apply to all full-time, part-time and adjunct faculty.

a. No change.

b. For all non-degreed faculty, the burden of proof is on the institution to demonstrate instructor competence in the subjects taught. Instructors shall have completed postsecondary training in either a state licensed school or a college accredited by an accrediting agency recognized by the United States Department of Education ~~USDOE~~ plus one year of job experience related to the subjects taught; or have completed a minimum of three years of successful job experience directly related to the subjects taught.

3. through 4. No change.

(b) through (f) No change.

(8) through (9) No change.

(10) Standard 10: Student Services. All institutions, regardless of the level of credentials offered, shall comply with the following standards:

(a) through (b) No change.

(c) Placement Improvement Plans. A nonaccredited institution holding provisional or annual licensure shall report its placement rate as defined by the Commission with each license review. If the placement rate falls below 60%, the Commission shall place the institution on a placement improvement plan. This plan shall include actions to be taken to improve the placement rate and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission, and shall include information on placement personnel,

placement activities, job development activities, and additional data as requested by the Commission to show the effectiveness of the plan in improving the placement rate. If the progress report does not show an improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

An institution accredited by an agency recognized by the United States Department of Education USDOE shall report its placement rate, as required by its respective accrediting agency, with each annual review. If the placement rate does not meet the accrediting agency's requirements, the Commission shall place the institution on a placement improvement plan. This plan shall be developed by the institution and include actions to be taken to improve the placement rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission and shall include information documenting the activities taken by the institution to improve the placement rate. If the progress report does not show improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

(d) Retention Improvement Plans. A nonaccredited institution holding provisional or annual licensure shall report its retention rate as defined by the Commission with each license review. If the rate falls below 50%, the Commission shall place the institution on a retention improvement plan. This plan shall include actions to be taken to improve other retention rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission, and shall include information documenting the activities taken by the institution to improve the retention rate. If the progress report is not accepted by the Commission, the Commission shall take actions up to and including revocation of license.

An institution accredited by an agency recognized by United States Department of Education USDOE shall report its retention rate, as required by its respective accrediting agency, with each annual review. If the retention rate does not meet the accrediting agency's requirements the Commission shall place the institution on a retention improvement plan. This plan shall be developed by the institution and include actions to be taken to improve the retention rate, and shall be submitted to the Commission. A progress report shall be filed with the Commission after a period designated by the Commission and shall include information documenting the activities taken by the institution to improve the retention rate. If the progress report does not show an improvement as accepted by the Commission, the Commission shall take actions up to and including revocation of license.

(e) Institutions shall submit placement and retention information on CIE Form 801, Annual Student Data Collection for Non-Institutionally Accredited Institutions (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00667>), effective _____, CIE Form 802, Annual Student Data Collection for Institutionally Accredited Institutions (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00668>), effective _____, CIE Form 803, Placement and Retention Reporting for Institutionally Accredited Institutions – Institutional Reporting (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00669>), effective _____, and CIE Form 804, Placement and Retention Reporting for Institutionally Accredited Institutions – Programmatic Reporting (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00670>), effective _____, as applicable. These forms are incorporated by reference and may be obtained without cost from the Commission's website www.fldoe.org/cie or by writing to the Commission for Independent Education at 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

(11) Standard 11: Publications and Advertising.

(a) No change.

(b) Catalog.

1. No change.

2. Each institution shall publish and provide to each enrolled student a catalog in written or electronic form. Written catalogs shall be professionally printed and bound. If electronic catalogs are also used, the two versions shall contain the same information, except for updates that may be provided more quickly in electronic versions. The catalog shall constitute a contractual obligation of the school to the student and shall be the official statement of the school's policies, programs, services, and charges and fees. The catalog shall include, at a minimum, the following information:

a. through d. No change.

e. If the institution is accredited as defined in Section 1005.02(1), F.S., a statement of accreditation. If an institution claims accreditation by an accrediting agency that is not recognized by the United States ~~U.S.~~ Department of Education, the disclosure required in paragraph 6E-1.0032(6)(d), F.A.C., is to be inserted in the catalog and in all publications or advertising, as defined in subsection 6E-1.003(6), ~~6E-1.003(5)~~, F.A.C., wherever the unrecognized accrediting association or agency is mentioned;

f. through r. No change.

s. A complete explanation of the standards of satisfactory academic progress. This policy shall include, at a minimum: Minimum grades and ~~or~~ standards considered satisfactory; conditions for interruption due to unsatisfactory grades or progress; a description of the probationary period, if applicable; and conditions of re-entrance for those students suspended for unsatisfactory progress;

t. through cc. No change.

dd. If the institution offers courses through distance education or other alternative means, the catalog shall include the information specified in subsection 6E-2.0041(10)(~~11~~), F.A.C.;

ee. No change.

3. Catalogs for Multiple Institutions. All institutions utilizing a common catalog must be of common ownership. Photographs of the physical facilities of any of the institutions must be captioned to identify the particular institution or campus depicted. The faculty and staff of each institution and the members of the administration for the group of institutions shall be clearly identified with respect to each institution and to the overall administration. Any information contained in the catalog that is not common to all institutions in the group shall be clearly disclosed ~~presented in such a manner that no confusion, misunderstanding or misrepresentation is possible.~~

(c) Advertising.

1. No change.

2. For initial applicants and renewal of licensure, the institution shall submit a copy of all proposed or actual advertising publications, ~~together with any and all materials used for the purpose of recruiting students.~~

3. All advertising by an institution, ~~including all written and verbal communications, illustrations, and express or implied representations,~~ shall be factual and not misleading to the public. All illustrations in published materials must specifically and accurately represent the institution. If any other illustrations are used, they must be clearly and accurately captioned.

4. No change.

5. An institution shall not offer the payment of cash or other nonmonetary incentives, such as but not limited to travel or gift certificates, ~~monetary incentives~~ as an inducement to visit the campus or to enroll in a course or program.

6. through 11. No change.

12. Overstatements, ~~superlatives,~~ and exclusives shall not be used in any advertising. The word "free" shall only be used when there is unconditional access to the item or service for all students, without cost or obligation of any type, and if refunds or loan repayments do not include consideration of the item or service.

13. through 16. No change.

(12) No change.

Rulemaking Specific Authority 1005.22(1)(e), 1005.31(2), (3), 1005.34, 1005.39 FS. Law Implemented 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.39 FS. History—Repromulgated 12-5-74, Formerly 6E-3.01(1), Readopted 11-11-75, Amended 3-7-77, 5-7-79, 10-13-83, Formerly 6E-2.04, Amended 11-27-88, 11-29-89, 12-10-90, 10-19-93, 4-2-96, 4-11-00, 1-7-03, 4-5-04, 5-24-04, 7-20-04, 5-18-05, 7-10-06, 7-23-07, _____.

6E-4.001: Fees and Expenses

SUMMARY: The rule removes the \$10 fee for providing a student transcript, reduces the fee for adding a new program or modifying an existing one from \$500 or \$1,000 to \$250 and corrects language so that base and workload fees are reduced when the total revenue collected during a fiscal year is 12% or greater than budgeted expenditures for that year. A Florida student is a student who attends a Florida licensed location or for distance education, a student who receives his materials at a Florida address.

Words ~~stricken~~ are deletions; words underlined are additions

(1) The Base Fee and the Workload Fee shall be assessed at one of six levels based upon the Florida student enrollment (per license issued) for the last reported fiscal year ending on June 30th. For each licensed institution, Florida student enrollment consists of all students enrolled at a Florida campus of a licensed an institution and for plus all Florida residents enrolled in any CIE licensed distance education, a student whose mailing address for purposes of receiving distance education lessons and materials from the school, is a Florida address program. If an institution that holds a license has not submitted enrollment data to the Commission (using the CIE Annual Data Collection) they shall be assessed at the highest level.

- (a) Level 1 = 0 to 100 students
- (b) Level 2 = 101-500 students
- (c) Level 3 = 501-1,000 students
- (d) Level 4 = 1,001 to 5,000 students
- (e) Level 5 = 5,001 to 10,000 students
- (f) Level 6 = over 10,000 students

If the total revenue collected by the Commission during a fiscal year is ~~greater than 12%~~ or greater than ~~of~~ the Commission's budgeted expenditures for the same fiscal year, the Commission is authorized to reduce the Base Fee and Workload Fee up to 3%. If the total revenue collected by the Commission during a fiscal year is less than the Commission's budgeted expenditures for the same fiscal year, the Commission is authorized to increase the Base Fee and Workload Fee up to 3%.

(2) No change.

(3) Workload Fees. Each licensed institution receives technical assistance from the Commission, along with help in developing and implementing institutional articulation agreements and achieving candidacy status with accrediting agencies; and significant amounts of staff and administrative time are spent on evaluating applications, traveling to institutions for onsite visits, assisting institutions which are experiencing problems with financial aid or financial stability, and other duties assigned by the Commission. The following workload fees are assessed in addition to the Base Fee, and must be received prior to Commission consideration of each action.

Initial Application for License, or Moving from Nondegree to Degree:

New Nondegree Institutions.....\$2,000 + \$200 per program
 New Degree-Granting Institutions.....\$3,000 + \$200 per program
 Annual Review of Licensure and License by Means of Accreditation Review:
 Level 1 = \$1,500
 Level 2 = \$2,000
 Level 3 = \$5,000
 Level 4 = \$7,000
 Level 5 = \$8,500
 Level 6 = \$10,000
 Institutions not Licensed by Means of Accreditation shall pay \$50 per licensed program (not to exceed \$500) as part of the Annual Review of License.
 Substantive Change Review.....\$1,000
 Provisional or Annual Licensure Extension (first).....\$500
 Provisional or Annual Licensure Extension (second).....\$750
 Provisional or Annual Licensure Extension (third).....\$1,500
 New Program or Program Modifications, Less than Substantive Change or More than One Minor Modification per Year:
 Nondegree Programs for Annually Licensed Institutions.....\$500
 Degree Programs for Annually Licensed Institutions.....\$1,000
Nondegree and Degree Programs for Institutions Licensed by Means of Accreditation:.....\$ 250
 Site Visits:
 One Visit per Year.....Included in licensure fee
 Subsequent Visits directed by Commission.....\$300 per day
 Approval to Use “College” or “University”, First Time or Special Review.....\$500
 Annual Licensure of Recruiting Agents (nontransferable).....\$200
 Criminal Justice Information Investigation.....\$50
~~Copy of Student Academic Transcript on File~~.....\$10
 (4) through (9) No change.
Rulemaking Specific Authority 1005.22(1)(e), 1005.35, 1005.37, 1005.38 FS. Law Implemented 1005.22, 1005.35, 1005.37, 1005.38 FS. History—New 1-7-03, Amended 7-27-04, 1-30-08, 7-21-08,_____.

6E-4.005: Student Protection Fund; Trainout Procedures for Closure

SUMMARY: Non-degree nonpublic institutions are assessed a fee to support the Student Protection Fund. This Fund is used to complete the training of a student who enrolls in a school that terminates a program or ceases operation before the student has completed his or her program of study. The fee is based upon .0005 of the annual tuition revenue generated in Florida. The rule defines that term and requires licensed institutions to report the information on CIE Form 604, “Selected Financial Data”, which is incorporated by reference in Rule 6E-2.004.

Words ~~stricken~~ are deletions; words underlined are additions

Subsections (1)-(4), paragraphs (6)(a) and (b) of this rule shall apply to all licensed nonpublic nondegree schools. Subsection (5) and paragraph (6)(c) shall apply to all licensed institutions.

(1) through (2) No change.

(3) Assessment Paid by Licensed Nondegree Schools. Each licensed school shall pay annually to the fund a specified amount equal to .0005 of the annual ~~gross~~ tuition revenue generated in Florida.

(4) Computation and Payment of Assessment.

(a) through (c) No change.

(d) The full and timely payment of the assessment is a condition of licensure. Failure to make such payment shall be grounds for disciplinary action against the school, or for changing the status of a school which is Licensed by Means of Accreditation to a Provisional License, or for denial of an application for license renewal.

(e) Licensed nondegree institutions shall report annual tuition revenue generated in Florida on CIE Form 604, entitled Selected Financial Data as incorporated by reference in Rule 6E-2.004, F.A.C. CIE Form 604 may be obtained without cost from the Commission's website at www.fldoe.org/cie or by writing to the Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

(5) through (6) No change.

Rulemaking Specific Authority 1005.37 FS. Law Implemented 1005.35(4)(g), 1005.36(3), 1005.37 FS. History—New 4-2-03, Amended _____.