

Committee Substitute for House Bill No. 3389

An act relating to education; creating s. 236.08106, F.S., relating to the Excellent Teaching Program; providing legislative findings and intent; authorizing monetary incentives and bonuses for teaching excellence; providing for annual allocations to districts; providing fee subsidies and conditions for repayment of subsidies for participating in the certification program of the National Board of Professional Teaching Standards; requiring the distribution of certain monetary bonuses to teachers; providing eligibility criteria; requiring release time for certain activities; requiring certain district expenditures for professional development of teachers; amending s. 236.081, F.S.; authorizing categorical funding for the Excellent Teaching Program; amending s. 231.173, F.S., relating to certification of experienced out-of-state teachers and administrators; deleting a requirement for superintendents to request certification; providing for issuance of a professional certificate to individuals certified by the National Board of Professional Teaching Standards; conforming provisions; amending s. 231.24, F.S.; authorizing renewal of certificates through national certification; amending s. 110.1099, F.S.; clarifying description of tuition waivers; amending s. 246.021, F.S.; clarifying the definition of the term “college”; amending s. 246.031, F.S.; revising requirements relating to members of the State Board of Independent Colleges and Universities; amending s. 246.041, F.S.; revising powers and duties of the board; deleting or correcting obsolete references; amending s. 246.084, F.S., relating to colleges receiving an authorization; revising certain requirements; providing for exemption from certain requirements; revising provisions relating to oversight of the review and collection of data for purposes of determining compliance; amending s. 246.085, F.S.; revising provisions relating to issuance of a certificate of exemption; amending s. 246.101, F.S., to conform; amending 246.121, F.S.; correcting obsolete references; amending s. 246.31, F.S., relating to the Institutional Assessment Trust Fund; conforming provisions; providing an effective date.

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

Section 1. Section 236.08106, Florida Statutes, is created to read:

236.08106 Excellent Teaching Program.—

(1) The Legislature recognizes that teachers play a critical role in preparing students to achieve the high levels of academic performance expected by the Sunshine State Standards. The Legislature further recognizes the importance of identifying and rewarding teaching excellence and of encouraging good teachers to become excellent teachers. The Legislature finds that the National Board of Professional Teaching Standards (NBPTS) has established high and rigorous standards for accomplished teaching and has developed a national voluntary system for assessing and certifying teachers who

demonstrate teaching excellence by meeting those standards. It is therefore the Legislature's intent to provide incentives for teachers to seek NBPTS certification and to reward teachers who demonstrate teaching excellence by attaining NBPTS certification and sharing their expertise with other teachers.

(2) The Excellent Teaching Program is created to provide categorical funding for monetary incentives and bonuses for teaching excellence. The Department of Education shall allocate and distribute to each school district an amount as prescribed annually by the Legislature for the Excellent Teaching Program. Unless otherwise provided in the General Appropriations Act, each school district's annual allocation shall be the sum of the amounts earned for the following incentives and bonuses:

(a) A fee subsidy to be paid by the school district to the NBPTS on behalf of each individual who is an employee of the district school board or a public school within that school district, who is certified by the district to have demonstrated satisfactory teaching performance pursuant to s. 231.29 and, who satisfies the prerequisites for participating in the NBPTS certification program, and who agrees, in writing, to pay 10 percent of the NBPTS participation fee and to participate in the NBPTS certification program during the school year for which the fee subsidy is provided. The fee subsidy for each eligible participant shall be an amount equal to 90 percent of the fee charged for participating in the NBPTS certification program, but not more than \$1,800 per eligible participant. The fee subsidy is a one-time award and may not be duplicated for any individual.

(b) A portfolio-preparation incentive of \$150 for each teacher employed by the district school board or a public school within the district who is participating in the NBPTS certification program. The portfolio-preparation incentive is a one-time award paid during the school year for which the NBPTS fee subsidy is provided.

(c) An annual bonus equal to 10 percent of the prior fiscal year's state-wide average salary for classroom teachers to be paid to each individual who holds NBPTS certification and is employed by the district school board or by a public school within that school district. The district school board shall distribute the annual bonus to each individual who meets the requirements of this paragraph and who is certified annually by the district to have demonstrated satisfactory teaching performance pursuant to s. 231.29. The annual bonus may be paid as a single payment or divided into not more than three payments.

(d) An annual bonus equal to 10 percent of the prior fiscal year's state-wide average salary for classroom teachers to be paid to each individual who meets the requirements of paragraph (c) and agrees, in writing, to provide the equivalent of 12 workdays of mentoring and related services to public school teachers within the district who do not hold NBPTS certification. The district school board shall distribute the annual bonus in a single payment following the completion of all required mentoring and related services for the year. It is not the intent of the Legislature to remove excellent teachers from their assigned classrooms, therefore, credit may not be granted by a

school district or public school for mentoring or related services provided during the regular school day or during the 196 days of required service for the school year.

(e) The district shall receive an amount equal to 50 percent of the teacher bonuses provided under paragraph (c) and (d), which shall be used by the district for professional development of teachers. The district must give priority to using all funds received pursuant to this paragraph for professional development of teachers employed at schools identified as performing at critically low levels.

A teacher for whom the state pays the certification fee and who does not complete the certification program or does not teach in a public school of this state for a least 1 year after completing the certification program must repay the amount of the certification fee to the state. However, a teacher who completes the certification program but fails to be awarded NBPTS certification is not required to repay the amount of the certification fee if the teacher meets the 1-year teaching requirement. Repayment is not required of a teacher who does not complete the certification program or fails to fulfill the teaching requirement because of the teacher's death or disability or because of other extenuating circumstances as determined by the State Board of Education.

Section 2. Paragraph (a) of subsection (5) of section 236.081, Florida Statutes, as amended by chapter 97-380, Laws of Florida, is amended to read:

236.081 Funds for operation of schools.—If the annual allocation from the Florida Education Finance Program to each district for operation of schools is not determined in the annual appropriations act or the substantive bill implementing the annual appropriations act, it shall be determined as follows:

(5) CATEGORICAL PROGRAMS.—The Legislature hereby provides for the establishment of selected categorical programs to assist in the development and maintenance of activities giving indirect support to the programs previously funded. These categorical appropriations may be funded as general and transitional categorical programs. It is the intent of the Legislature that no transitional categorical program be funded for more than 4 fiscal years from the date of original authorization. Such programs are as follows:

(a) General.—

1. Comprehensive school construction and debt service as provided by law.
2. Community schools as provided by law.
3. School lunch programs as provided by law.
4. Instructional material funds as provided by law.
5. Student transportation as provided by law.

6. Student development services as provided by law.
7. Diagnostic and learning resource centers as provided by law.
8. Comprehensive health education as provided by law.
9. Excellent Teaching Program as provided by law.

(b) Transitional.—

1. Bilingual program as provided by law.

Section 3. Section 231.173, Florida Statutes, is amended to read:

231.173 Successful experienced out-of-state teachers and administrators.—

(1) Notwithstanding the provisions of ss. 231.02, 231.15, ~~and 231.17, and 231.172~~ or any other provision of law or rule to the contrary, a successful, experienced, ~~and certified~~ out-of-state teacher or administrator qualifies employed in a public school or nonpublic school in this state may qualify for a professional certificate if the applicant:

~~(a)~~(4) Completes the application process, including the filing of a complete set of fingerprints as required by s. 231.02.

~~(b)~~(2) Holds a valid standard certificate issued by the state where the applicant most recently taught, which standard certificate is equivalent to the professional certificate issued by this state and for which specialization coverage is based on a level of training comparable to that required in this state for the specialization coverage sought by the applicant ~~applicant's area of assignment~~.

~~(c)~~(3) Documents 5 years of appropriate successful full-time teaching or administrative experience in another state, including 2 continuous years during the 5-year period immediately preceding the date of application for certification.

(2) An out-of-state applicant qualifies for a professional certificate if the applicant meets the requirements of paragraphs (1)(a) and (b) and holds a valid certificate issued by the National Board of Professional Teaching Standards.

~~(4) Submits a request for issuance of the professional certificate from the superintendent of the employing school district or governing authority of the employing developmental research school, state-supported school, or nonpublic school within the first 120 days of assignment with validation of awareness of the standards of professional practice.~~

(3)~~(5)~~ The professional certificate issued in accordance with subsection (1) these provisions shall reflect specialization coverages as follows:

(a) Teachers.—~~An applicant A teacher appointed to an academic assignment shall be eligible for the academic coverage in an area in which the~~

teacher is assigned to teach in a public school or nonpublic school in this state or in the area of the applicant's certification by the National Board of Professional Teaching Standards.

(b) Principals.—An individual appointed as an intern or interim principal of a public or nonpublic K-12 school in this state shall be eligible for the educational leadership coverage.

(c) Administrators of adult education.—An individual appointed as an administrator of an adult education program at a public or nonpublic school in this state shall be eligible for the administration of adult education coverage.

(d) Directors of career education.—An individual appointed as a director of career education at a public or nonpublic school in this state shall be eligible for the director of career education coverage.

Section 4. Subsection (2) and paragraph (b) of subsection (3) of section 231.24, Florida Statutes, are amended to read:

231.24 Process for renewal of professional certificates.—

(2) All professional certificates, except a nonrenewable professional certificate, shall be renewable for successive periods not to exceed 5 years after the date of submission of documentation of completion of the requirements for renewal provided in subsection (3). Only one renewal may be granted during each 5-year validity period of a professional certificate, except that a teacher with national certification from the National Board for Professional Teaching Standards is deemed to meet state renewal requirements for the life of the teacher's national certificate. However, if the renewal application form is not received by the department or by the employing school district before the expiration of the professional certificate, the application form, application fee, and a late fee must be submitted before July 1 of the year following expiration of the certificate in order to renew the professional certificate. The state board shall adopt rules to allow a 1-year extension of the validity period of a professional certificate in the event of serious illness, injury, or other extraordinary extenuating circumstances of the applicant. The department shall grant such 1-year extension upon written request by the applicant or by the superintendent of the local school district or the governing authority of a developmental research school, state-supported school, or nonpublic school that employs the applicant.

(3) For the renewal of a professional certificate, the following requirements must be met:

(b) In lieu of college course credit or inservice points, the applicant may renew a specialization area by passage of a state board approved subject area test, by completion of the national certification from the National Board for Professional Teaching Standards in that specialization area, or by completion of a department approved summer work program in a business or industry directly related to an area of specialization listed on the certificate. The state board shall adopt rules providing for the approval procedure.

Section 5. Subsection (1) of section 110.1099, Florida Statutes, is amended to read:

110.1099 Education and training opportunities for state employees.—

(1) Education and training are an integral component in improving the delivery of services to the public. Recognizing that the application of productivity-enhancing technology and practice demand continuous educational and training opportunities, state employees may be authorized to receive fundable tuition waivers on a space-available basis or vouchers to attend work-related courses at public universities. Student credit hours generated by state employee fee waivers shall be fundable credit hours.

Section 6. Subsection (4) of section 246.021, Florida Statutes, is amended to read:

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

(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 or branch campus of an out-of-state college.

Section 7. Subsection (2) of section 246.031, Florida Statutes, is amended to read:

246.031 State Board of Independent Colleges and Universities.—

(2) The State Board of Independent Colleges and Universities shall consist of nine citizens who are residents of this state, a majority of whom represent nonpublic 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 and Members shall be appointed by the Governor and confirmed by the Senate. To be consistent with an independent rulemaking board, members, except members appointed pursuant to paragraph (e), must be employees, consultants, board members, or trustees of a nonpublic college or university that is under the State Board of Independent Colleges and Universities. At least one member must be appointed from each of the following categories:~~

(a) A college or university holding a certificate of exemption from licensure pursuant to s. 246.085(1)(a) and accredited by a regional accrediting agency.

(b) A college or university holding a certificate of exemption from licensure pursuant to s. 246.085(1)(a) and accredited by a national accrediting agency.

(c) A college or university licensed by the board pursuant to s. 246.087.

(d) A college or university holding a certificate of exemption from licensure pursuant to s. 246.085(1)(b) or a college or university issued an authorization pursuant to s. 246.084.

(e) Lay citizens of the state who derive no income from a nonpublic college or university.

Accreditation of an institution pursuant to the requirements of this subsection must be by a regional or national accrediting agency recognized by the United States Department of Education.

Section 8. Paragraphs (q) and (r) of subsection (1) and paragraph (g) of subsection (2) of section 246.041, Florida Statutes, are amended to read:

246.041 Powers and duties of board.—

(1) The board shall:

(q) To ensure comparability with licensure standards, review at least biennially the accreditation standards of agencies listed in s. 246.085(1)(a), and upon request and payment of an initial review fee, other accrediting agencies recognized by the United States Department of Education. Annually review the accreditation standards of the Commission on Colleges of the Southern Association of Colleges and Schools, the Accrediting Council for Independent Colleges and Schools 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 Florida resident access grants, s. ~~240.6055~~ 240.607, relating to access grants for community college graduates, and s. 240.609, relating to Florida postsecondary endowment grants.

(2) The board may:

(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.

Section 9. Section 246.084, Florida Statutes, is amended to read:

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 provided that none of the students of such college who are enrolled in Florida receive state or federal financial aid for education.

(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. The religious modifier must be placed on the title line of the degree.

(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 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 provided 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 of the church.

(2) A nonpublic college shall be exempt from the requirements of paragraphs (1)(b) and (c) if it complies with all other provisions of this section and with the minimum standards for licensure as provided for in rule. Verification of compliance with this section shall be accomplished by one of the following methods:

(a) By submission to the board of a finding of compliance by a group of individuals forming an education association pursuant to the following requirements:

1. Members of the association are citizens of the State of Florida.
2. The association is based in, and operates in, the State of Florida.
3. Members designated by the association shall receive training from the board staff, including participating in the evaluation of a minimum of two licensure cycles from initial application through regular licensure, complete with site visits and related board meetings. The association shall pay its members' expenses for training. Association members shall be exempt from these training requirements if the board determines that they have experience reviewing institutions with standards as rigorous as the board's minimum standards for licensure.
4. No more than two members of the review team shall derive income from the same nonpublic postsecondary collegiate institution or nonpublic postsecondary education association.
5. No member of the review team shall derive income from the institution being reviewed.
6. At least three members of the review team must have a minimum of 3 years' experience in postsecondary collegiate administration and have experience implementing standards as rigorous as the board's minimum standards for licensure.

For each nonpublic college reviewed by the association, the association shall submit to the board a copy of all data required by statute and rule related to minimum standards for licensure. Such data shall be submitted at least 30 days prior to the college's annual review date assigned by the board.

(b) By submission to the board of evidence of accreditation by a regional or national accrediting agency that is recognized by the United States Department of Education.

(c) By a finding of compliance by the board. 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 board shall enter into an agreement with a group of individuals forming an education association to oversee the review and collection of the data submitted pursuant to this section. However, nonpublic colleges and universities subject to this section may choose at any time to be under the State Board of Independent Colleges and Universities for review and collection of data. The association authorized by the board shall meet the following qualifications:

- (a) Members of the association must be citizens of the State of Florida.
- (b) The association shall be based in, and operate in, the State of Florida.

(c) Members designated by the association shall receive training from the board staff, including participating in the evaluation of a minimum of two authorization applications, complete with site visits and related board meetings. The association shall pay its members' expenses for training. Association members shall be exempt from these training requirements if the board determines that they have experience reviewing institutions with standards as rigorous as the board's minimum standards for authorization.

(d) No more than two members of the review team shall derive income from the same nonpublic postsecondary collegiate institution or nonpublic postsecondary education association.

(e) No member of the review team shall derive income from the institution being reviewed.

(f) At least three members of the review team must have a minimum of 3 years' experience in postsecondary collegiate administration and have experience implementing standards as rigorous as the board's minimum standards for authorization.

For each nonpublic college reviewed by the association, the association shall submit to the board a copy of all data required by statute related to standards for authorization. Such data shall be submitted at least 30 days prior to the college's annual review date assigned by the board.

~~(4)(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.~~

~~(5)(4) If the board determines that a college meets the requirements of this section, the board shall issue the college an authorization.~~

~~(6)(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.~~

Section 10. Subsection (1) of section 246.085, Florida Statutes, is amended to read:

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 ~~Accrediting American~~ Association of Bible Colleges;
4. The Transnational Association of Christian Colleges and Schools; or
5. An agency recognized by the United States Department of Education Commission on Recognition of Postsecondary Accreditation to accredit professional degree programs above the baccalaureate level when such agency has been evaluated pursuant to s. 246.041(1)(q) and determined by the board to have standards at least comparable to the board's licensure standards. A nonpublic college holding a certificate of exemption under this subparagraph shall only offer the degree program which is specifically covered in the grant of accreditation.

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 an agency recognized by the United States Department of Education 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.

Section 11. Paragraph (h) of subsection (5) of section 246.101, Florida Statutes, is amended to read:

246.101 Fees.—

(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:

(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)~~.

Section 12. Section 246.121, Florida Statutes, is amended to read:

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 public 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) A college for which the board has issued a license, a certificate of exemption, or an authorization pursuant to the provisions of this chapter ~~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.~~

(2)(3) ~~If such a college is approved under subsection (1) (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.~~

(3)(4) ~~Any entity offering postsecondary 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.~~

(4)(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.~~

Section 13. Paragraph (c) of subsection (2) of section 246.31, Florida Statutes, is amended to read:

246.31 Institutional Assessment Trust Fund.—

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

(c) Educational programs for the benefit of current and prospective owners, administrators, agents, authorized groups of individuals, and faculty of institutions receiving a license, a certificate of exemption, or an authorization licensed by the board.

Section 14. This act shall take effect July 1 of the year in which enacted.

Approved by the Governor May 29, 1998.

Filed in Office Secretary of State May 29, 1998.