

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 the graduate eligible to take the licensing examination or to receive the appropriate certification or practice the profession.

1. Any institution applying to offer a new prelicensure professional nursing program must obtain institutional accreditation prior to obtaining approval from the Commission. In addition to the required application and fees, the institution must provide the following as part of the application process:

a. Documentation from the accrediting agency showing all approved information and offerings. All information approved by the accrediting agency must be consistent with the information on file with the Commission.

b. A copy of the application submitted to the accrediting agency for the proposed prelicensure professional nursing program. All information in the application must be consistent with the application presented to the Commission.

c. Documentation demonstrating the program is approved by the Florida Board of Nursing. All documents provided to the Florida Board of Nursing as part of this approval must be included as part of this documentation.

2. Failure to provide all documentation as required in subparagraph 1. constitutes an incomplete application.

3. Institutions which received approval by the Commission for a prelicensure professional nursing program must obtain programmatic accreditation within the time frames required by section 464.019(11), F.S. The termination of a prelicensure professional nursing program by the Florida Board of Nursing will, after all appeals have been waived or exhausted, result in termination of the program by the Commission and require the submission of a teach-out plan which must include:

a. A plan to complete the training of current students;

b. A plan for providing refunds to current students not completing their training; and

c. Sample notices that the institution will provide to each student regarding completion of training and refunds, as applicable.

4. Institutions which received approval by the Commission for a prelicensure professional nursing program prior to July 1, 2023, must report to the Commission on a quarterly basis the status of their application for accreditation or the approval status by an institutional or programmatic accreditor recognized by the United States Department of Education.

5. If an approved prelicensure professional nursing program is placed on probation or other adverse action is taken by the Florida Board of Nursing, or an accrediting agency imposes an adverse action on the program, the Commission must review the institution for a substantive change determination as defined in subsection 6E-1.003 (60), F.A.C. If the Commission determines a substantive change has occurred, the Commission shall place the institution on provisional licensure status in accordance with paragraph 6E-2.002(1)(c), F.A.C. When granting a provisional license, the Commission must impose conditions when it serves to protect the needs of students or prospective students. The conditions may include any of the following:

a. Reporting;

b. Prohibiting a licensed institution from enrolling new students in a prelicensure professional nursing program;

c. Limiting the number of students in a prelicensure professional nursing program; and

d. Terminating the program and requiring submission of a teach-out plan to include the requirements in subparagraph 3.

(c) through (l) No change.

(m) The following instructional program standards apply to nondegree diplomas:

1. through 2. No change.

3. Basic Skills.

a. An institution offering a program of four hundred fifty (450) or more clock hours or the credit hour equivalent shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Attestations by the awarding entity or successor entity constitutes equivalent documentation to qualify for this exception. Student self-attestations or self-certifications, unless allowed by the institution's accrediting agency as defined in section 1005.02, F.S., do not satisfy the evidence requirements of this subparagraph. In the case of a student who is home educated, a signed and notarized affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of section 1002.41, F.S., constitutes proof of high school completion.

b. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. The institution must verify the student has obtained a qualifying score on an ability to benefit test and maintain evidence of the verification in the student's file.

c. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing, or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. No change.

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

1. through 2. No change.

3. Basic Skills.

a. An institution offering a program of four hundred fifty (450) or more clock hours or the credit hour equivalent shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Attestations by the awarding entity or successor entity constitutes equivalent documentation to qualify for this exception. Student self-attestations or self-certifications, unless allowed by the institution's accrediting agency as defined in section 1005.02, F.S, do not satisfy the evidence requirements of this subparagraph. In the case of a student who is home educated, a signed and notarized affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of section 1002.41, F.S., constitutes proof of high school completion.

b. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. The institution must verify the student has obtained a qualifying score on an ability to benefit test and maintain evidence of the verification in the student's file.

c. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing, or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. No change.

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

1. through 2. No change.

3. Basic Skills.

a. An institution offering academic associate degrees shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma, or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Attestations by the awarding entity or successor entity constitutes equivalent documentation to qualify for this exception. Student self-attestations or self-certifications, unless allowed by the institution's accrediting agency as defined in section 1005.02, F.S., do not satisfy the evidence requirements of this sub-subparagraph. In the case of a student who is home educated, a signed and notarized affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of section 1002.41, F.S., constitutes proof of high school completion.

b. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. The institution must verify the student has obtained a qualifying score on an ability to benefit test and maintain evidence of the verification in the student's file.

c. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the basic skills instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program

4. No change.

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

1. through 2. No change.

3. Basic Skills.

a. An institution offering bachelor's degrees shall administer a basic skills examination to each student who enrolls, unless the student has provided evidence of a high school graduation diploma, general equivalency diploma,

or its equivalent. Institutions must maintain copies of students' high school graduation diplomas, general equivalency diplomas, official high school transcripts, or equivalent documentation or procedures, to qualify for this exception. Attestations by the awarding entity or successor entity constitutes equivalent documentation to qualify for this exception. Student self-attestations or self-certifications, unless allowed by the institution's accrediting agency as defined in section 1005.02, F.S., do not satisfy the evidence requirements of this subparagraph. In the case of a student who is home educated, a signed and notarized affidavit submitted by the student's parent or legal guardian attesting that the student has completed a home education program pursuant to the requirements of section 1002.41, F.S., constitutes proof of high school completion.

b. Institutions must utilize a test approved by the United States Department of Education to determine if a student has the ability to benefit from a program of instruction, or obtain written approval from the Commission for a different basic skills test. If the test is not approved by the United States Department of Education and is submitted to the Commission for approval, the submission must include documentation that the test is nationally normed and validated and assesses a student's mastery of basic skills. The test must be administered by an independent tester. The institution must verify the student has obtained a qualifying score on an ability to benefit test and maintain evidence of the verification in the student's file.

c. Students deemed to lack the required minimal level of basic skills as measured by an approved examination shall, if admitted, be provided with instruction specifically designed to correct the deficiencies. Upon completion of the instruction, these students shall be retested by using an alternative form of the same examination that was used for initial testing, or another approved examination. Work intended to bring students' basic skills up to a postsecondary level of proficiency shall not be counted toward the completion of a course or program.

4. No change.

(q) through (r) No change.

(s) All institutions licensed by the Commission must disclose all avocational programs, examination preparation programs, contract training programs, continuing education, or professional development programs offered on CIE Form 303 [Program Disclosure]. This form is incorporated by reference. (DOS link) effective February 2024. CIE Form 303 may be obtained, without cost, from the Commission's website at <https://www.fldoe.org/policy/cie> or by writing to the Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. All institutions applying for annual license or license by means of accreditation after February 2024 by

the Agency Clerk] must submit CIE Form 303 with the application.

(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) through (b) No change.

(c) Admissions Acceptance Policies. The purpose of this section is to ensure that institutions admit only those students who are capable of successfully completing the training offered. Admission decisions shall be based on fair, effective, and consistently applied criteria that enable the institution to make an informed judgment as to an applicant's ability to achieve the program's objectives.

1. through 2. No change.

3. If an institution enrolls a person who does not have a high school diploma or recognized equivalency certificate, the determination of the applicant's ability to benefit from the training offered must be confirmed as provided in subparagraphs (4)(m)3., (4)(n)3., (4)(o)3., and (4)(p)3. of this rule.

4. through 6. No change.

(6) 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) No change.

(b) All institutions must submit a retention and completion management plan on CIE Form 500, [Retention and Completion Management Plan]. This form is incorporated by reference, (DOS link) effective February 2024. CIE Form 500 may be obtained, without cost, from the Commission's website at <https://www.fldoe.org/policy/cie> or by writing to the Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400. All institutions applying for initial licensure or renewal after February 2024 must submit CIE Form 500 with the application.

(c) ~~(b)~~ Placement services. Placement services shall be provided to all graduates without additional charge. No guarantee of placement shall be directly or indirectly implied. Records of initial employment of all graduates shall be maintained. Exceptions to this requirement shall be made for those graduates who attended the institution on a student visa or other temporary immigration status, and who do not seek employment in this country.

(d) All licensed institutions must report by March 15, 2024, and by November 30 of each year thereafter, for the previous academic year ending June 30, the required student data on the CIE forms specified in paragraph (i).

1. The Commission shall assess a fine of \$250, for the first infraction, and \$500 for the second or subsequent infraction, not to exceed \$500 for each reporting period, for failure to submit accountability data required by subsection 6E-2.004(10), F.A.C., within fourteen (14) days of the deadlines specified in paragraph (d). Fines must be paid within thirty (30) days of the date the order imposing the assessment becomes final. Fines collected pursuant to this section shall be reported separately on the Student Protection Fund Report distributed at each Commission meeting. Failure to pay the fine and submit the accountability data to the Commission within thirty (30) days of the final order constitutes a violation of section 1005.11, F.S., for which disciplinary action is authorized under section 1005.38, F.S., and rule 6E-2.0061, F.A.C.

2. Upon request from the Commission, the institution shall provide all documentation relied upon in producing the submitted data, which may include the students' names and contact information, programs of study, dates of enrollment and graduation, professional licensure, places of employment and employer contact information. This documentation shall be communicated to the Commission in a secure manner in compliance with Department of Education's data collection and retention policies and procedures.

(e) Retention, graduation and placement rates shall be calculated for each licensed institution using the following definitions and formulas. Retention, graduation, and placement rates shall be calculated both programmatically and institutionally and evaluated by the Commission at the time of annual licensure.

1. "Retention Rate" is a percentage determined by the following division ratio: The numerator shall be the total number of students, which includes existing students, new starts, re-entries, transfers, and graduates, enrolled in a program for the reporting period less than the difference between the total number of withdrawals in the reporting period and the number of students who withdrew for excusable reasons as defined in subparagraph 5. The denominator shall be the total number of students enrolled in the program at any point during the reporting period. "Total numbers of students" shall include only students who have completed at least ten (10) percent of any program, term, quarter, or semester, whichever is less, within the reporting period.

2. A "Graduate" is a completer of a program who was awarded a diploma, degree, or other credential for completion of the program and who fulfilled all of the institution's published graduation requirements.

3. "Graduation Rate" is a percentage determined by the following division ratio: The numerator shall be the

number of graduates that finished within one and one-half times their initial enrollment period during the reporting period. The denominator shall be the total number of graduates in the reporting period, and total withdrawals in the reporting period less the excused withdraws as defined in subparagraph 5.

4. “Placement Rate” is a percentage determined by the following division ratio: The numerator shall be the number of graduates of the program in the reporting period who are employed, are in active military service, or are enrolled in another postsecondary program. The denominator shall be the total graduates of the program in the reporting period who are available for placement. All graduates will be considered available for placement except for graduates that the institution can document are unable to work due to a medical condition, death or incarceration and graduates who are exempt from placement services in accordance with paragraph (c).

5. Excused withdrawals shall include death, incarceration, active military service, return to their country of origin due to an expired visa, a documented medical condition which prevents the student from attending the institution even if reasonable accommodations are offered, or a documented job relocation or transfer.

~~(f)~~ (e) Placement Improvement Plans.

1. An ~~nonaccredited~~ institution holding a provisional or annual license shall report its placement rate, as defined in paragraph (c), by the Commission with each license review. If the institutional placement rate, which is calculated by the aggregation of program placement rates across the total number of students, falls below sixty five (65) percent ~~60%~~, the Commission shall require ~~place~~ the institution to submit on a placement improvement plan. This percentage will be reviewed for revision to reflect high expectations every three (3) years. 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.

2. In addition to the requirements in subparagraph (f)1. above, ~~a~~An institution holding a provisional or annual license and accredited by an agency recognized by the United States Department of Education shall also 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 and is not ~~as~~ accepted by the Commission, the Commission shall take actions up to and including revocation of license.

3. An institution licensed by means of accreditation must report its placement rate, as required by its accrediting agency, with each annual review. If the institutional or programmatic placement rate does not meet the accrediting agency's requirements, the institution must submit the placement improvement plan, if any, required by its accrediting agency.

~~(g)~~ (d) Retention Improvement Plans.

1. An ~~nonaccredited~~ institution holding provisional or annual licensure shall report its retention rate, as defined in paragraph (e), by the Commission with each license review. If the institutional retention rate, which is calculated by the aggregation of program retention rates across the total number of students, falls below sixty (60) percent 50%, the Commission shall require ~~place~~ the institution to submit ~~on~~ a retention improvement plan. This percentage will be reviewed for revision to reflect high expectations every three (3) years. 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.

2. In addition to the requirements in subparagraph (g)1. above, ~~a~~An institution holding a provisional or annual license and accredited by an agency recognized by United States Department of Education shall also 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 and is not ~~as~~ accepted by the Commission, the Commission shall take actions up to and including revocation of license.

3. An institution licensed by means of accreditation must report its retention rate, as required by its accrediting agency, with each annual review. If the institutional or programmatic retention rate does not meet the accrediting agency's requirements, the institution must submit the retention improvement plan, if any, required by its accrediting agency.

(h) Graduation Improvement Plans.

1. An institution holding a provisional or annual license must report its graduation rate, as defined in paragraph (e), with each license review. If the institutional graduation rate, which is calculated by the aggregation of program graduation rates across the total number of students, for an institution holding a provisional or annual license falls below fifty five (55) percent, the institution must submit a graduation improvement plan. This percentage will be reviewed for revision to reflect high expectations every three (3) years. This plan must include actions designed to improve the graduation rate and shall be submitted to the Commission. A progress report must 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 graduation rate. If the progress report does not show an improvement and is not accepted by the Commission, the Commission shall take actions up to and including revocation of license.

2. In addition to the requirements in subparagraph (h)1. above, an institution holding a provisional or annual license and accredited by an agency recognized by United States Department of Education must also report its graduation rate, as required by its respective accrediting agency, with each annual review. If the graduation rate does not meet the accrediting agency's requirements, the institution must submit a graduation improvement plan. This plan must be developed by the institution and include actions to be taken to improve the graduation rate, and must be submitted to the Commission. A progress report must be filed with the Commission after a period designated by the Commission and must include information documenting the activities taken by the institution to improve the graduation rate. If the progress report does not show an improvement and is not accepted by the Commission, the Commission shall take actions up to and including revocation of license.

3. An institution licensed by means of accreditation must report its graduation rate, as required by its accrediting agency, with each annual review. If the institutional or programmatic graduation rate does not meet the accrediting agency's requirements, the institution must submit to the Commission the graduation improvement plan, if any, required by its accrediting agency.

(i) ~~(e)~~ All licensed institutions shall submit the data required in paragraph (d) above ~~placement and retention~~

~~information~~ on CIE Form 801, Annual Student Data Collection for Licensed Non-Institutionally Accredited Institutions (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00667>), effective February 2024, ~~January 11, 2012~~ and CIE Form 802, Annual Student Data Collection for Institutionally Accredited Institutions (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00843>), effective ~~January 11, 2012~~, All institutions licensed by the Commission which are institutionally accredited by an agency recognized by the United States Department of Education also must submit data using CIE Form 803, Placement and Retention Reporting for Institutionally Accredited Institutions – Institutional Reporting (<http://www.flrules.org/Gateway/reference.asp?No=Ref-00844>), effective February 2024 ~~January 11, 2012~~ and CIE Form 804, Placement and Retention Reporting for Institutionally Accredited Institutions – Programmatic Reporting (<http://www.flrules.org/Gateway/reference.asp?No=Ref-03093>), effective February 2024 ~~October 2013~~, 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) through (12) No change.

Rulemaking 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—New 12-5-74, Formerly 6E-3.01(1), Amended 11-11-75, 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, 1-11-12, 7-11-13, 10-22-13.