

STATE BOARD OF EDUCATION
Consent Item
July 17, 2017

SUBJECT: Approval of Amendment to Commission for Independent Education Rule 6E-1.0032,
Fair Consumer Practices

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Sections 1005.04(1)(d), 1005.22(1)(e)1., Florida Statutes

EXECUTIVE SUMMARY

The Commission for Independent Education is established within the Department of Education and licenses private postsecondary educational institutions. After approval by the Commission, its proposed rules are presented to the State Board of Education for approval or disapproval.

The proposed rule requires institutions offering programs in nursing (practical and professional) and for certified nursing assistants to disclose to prospective students information about the school's passage rate on the associated professional examination. The disclosure will assist students before they enroll in a school by providing objective information about the institution's record of success.

Supporting Documentation Included: Proposed Rule 6E-1.0032 and forms 609a, 609b and 609c

Facilitator: Samuel Ferguson, Executive Director

6E-1.0032 Fair Consumer Practices.

(1) through (10) No change.

(11) Prior to the initial enrollment or reentry of students into programs for the prelicensure education of professional or practical nurses, certified nursing assistant training programs, or any combination of such programs, an institution shall provide to each student each applicable disclosure form completed by the institution. The disclosure must be signed and dated by the prospective student and a school official, with a copy to be maintained in the student's file. Passage rates for first time test takers and probationary status of the program shall be provided for the most recent calendar year published by the Board of Nursing. Each institution must update the disclosures within thirty (30) days of the date when the information is published on the Board of Nursing's website. Institutions shall use the following forms which are 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, Florida 32399-0400:

(a) Professional Nursing Student Disclosure, Form number 609a, effective August 2017 (DOS link).

(b) Practical Nursing Student Disclosure, Form number 609b, effective August 2017 (DOS link).

(c) Certified Nursing Assistant Student Disclosure, Form number 609c, effective August 2017 (DOS link).

(12) ~~(44)~~ An institution is responsible for ensuring compliance with this rule by any person or company contracted with or employed by the institution to act on its behalf in matters of advertising, recruiting, or otherwise making representations which may be accessed by prospective students, whether verbally, electronically, or by other means of communication.

(13) ~~(42)~~ It shall be the responsibility of an institution to require a training program for all staff who recruit prospective students or who participate in the admission of prospective students, at the institution. The training program shall be submitted to the Commission for approval with each application for a provisional license, an annual license or a license by means of accreditation, and with each annual review of a license by means of accreditation. Institutions that choose to employ a training provider for its training program may, if the program provided by the contractor has been approved by the Commission, provide the program without additional approval. Training shall include information to familiarize staff who recruit prospective students, or who participate in the admission of prospective students, with Chapter 1005, F.S., and with the institution's programs, services, costs, terms of payment, financial aid available for qualified students, refund policy, transferability of credits to other

institutions, reasonable employment projections and accurate placement data, status of the institution regarding licensure and accreditation, facts regarding the eligibility of graduates to sit for licensure examinations or fulfill other requirements to practice in Florida the career or profession for which the prospective student wishes to be trained, and other relevant facts. The training program shall reflect the fair consumer practices outlined in Sections 1005.04 and 1005.34, F.S., and this rule.

(14) ~~(13)~~ Institutions shall maintain a file or keep a record for each student at each location, translated into English and conforming to the requirements of Rule 6E-2.004, F.A.C., and containing the following at a minimum:

- (a) Academic transcript;
- (b) All documents evidencing a student's eligibility for enrolled programs;
- (c) Any certificates or diplomas earned;
- (d) Copies of applications or contractual agreements;
- (e) Financial records;
- (f) Student counseling or advising records; ~~and~~;
- (g) Records of progress; and -
- (h) Nursing Student Disclosure (if applicable).

Rulemaking Authority 1005.22(1)(e)1., 1005.34 FS. Law Implemented 1005.04, 1005.22(1)(k), 1005.31(13), 1005.32(5), 1005.34 FS. History—New 10-19-93, Amended 4-2-96, 11-5-00, 1-7-03, 1-20-04, 3-29-04, 3-28-05, 5-18-05, 6-13-05, 7-23-07, 2-1-11.



COMMISSION FOR INDEPENDENT EDUCATION
PROFESSIONAL NURSING STUDENT DISCLOSURE
CIE Form 609a
Section 1005.04, Florida Statutes
Rule 6E-1.0032, Florida Administrative Code

Name of Institution and CIE ID No. _____

NCLEX Code # _____

Professional Nursing

You are considering enrollment in a program that offers education and experiential learning relating to a career as a Professional Nurse. To practice as a Professional Nurse in Florida, you are required to pass the National Council Licensure Examination for Registered Nurses (NCLEX-RN). This is a standardized exam taken by students nationally.

In 20____, the national passage rate for first time test takers for the NCLEX-RN is _____%.

In the same year, _____ students from this institution took the NCLEX-RN for the first time and the institutional passage rate for first time test takers is _____%.

Status with the Florida Board of Nursing: _____ Not on probation
_____ On probation

Additional information about passage rates can be found online at

[http:// floridanursing.gov/education-and-training-programs/](http://floridanursing.gov/education-and-training-programs/).

(Student Signature)

(Institution Representative Signature)

(Print Name)

(Print Name and Title)

(Date)

(Date)

Instructions to Institutions

The Nursing Student Disclosure Form must be completed by any prospective student or student re-entering a nursing program approved by the Florida Board of Nursing. Institutions must complete the form with all applicable information before having the document signed by a student. The form must be signed by both the student and an institutional official. A copy of the signed form must be maintained in the student's file.

Passage rates for first time test takers and probationary status of the program must be provided for the most recent calendar year published by the Florida Board of Nursing. Each institution must update the disclosure form within 30 days of the date when the information is published on the Board of Nursing's website.

Insert the number of students who took the examination for the first time in the first blank following the phrase "In the same year." Insert the percentage of those students who passed the examination as reported on the Board of Nursing's website in the second blank.

If the institution had no students take the particular examination during the year, insert "n/t" for number of students and "n/a" for the percentage of students who passed the examination.

The percentages and numbers shown on an institution's Nursing Student Disclosure Form must be identical to the information shown for that institution on the Board of Nursing's website.



COMMISSION FOR INDEPENDENT EDUCATION

PRACTICAL NURSING STUDENT DISCLOSURE

CIE Form 609b

Section 1005.04, Florida Statutes

Rule 6E-1.0032, Florida Administrative Code

Name of Institution and CIE ID No. _____

NCLEX Code # _____

Practical Nursing

You are considering enrollment in a program that offers education and training relating to a career as a Practical Nurse. To practice as a Practical Nurse in Florida, you are required to pass the National Council Licensure Examination for Practical Nurses (NCLEX-PN). This is a standardized exam taken by students nationally.

In 20____, the national passage rate for first time test takers for the NCLEX –PN is _____%.

In the same year, _____ students from this institution took the NCLEX –PN for the first time and the institutional passage rate for first time test takers is _____%.

Status with the Florida Board of Nursing: _____ Not on probation

_____ On probation

Additional information about passage rates can be found online at

[http:// floridanursing.gov/education-and-training-programs/](http://floridanursing.gov/education-and-training-programs/).

(Student Signature)

(Institution Representative Signature)

(Print Name)

(Print Name and Title)

(Date)

(Date)

Instructions to Institutions

The Nursing Student Disclosure Form must be completed by any prospective student or student re-entering a nursing program approved by the Florida Board of Nursing. Institutions must complete the form with all applicable information before having the document signed by a student. The form must be signed by both the student and an institutional official. A copy of the signed form must be maintained in the student's file.

Passage rates for first time test takers and probationary status of the program must be provided for the most recent calendar year published by the Florida Board of Nursing. Each institution must update the disclosure form within 30 days of the date when the information is published on the Board of Nursing's website.

Insert the number of students who took the examination for the first time in the first blank following the phrase "In the same year." Insert the percentage of those students who passed the examination as reported on the Board of Nursing's website in the second blank.

If the institution had no students take the particular examination during the year, insert "n/t" for number of students and "n/a" for the percentage of students who passed the examination.

The percentages and numbers shown on an institution's Nursing Student Disclosure Form must be identical to the information shown for that institution on the Board of Nursing's website.



COMMISSION FOR INDEPENDENT EDUCATION
CERTIFIED NURSING ASSISTANT STUDENT DISCLOSURE
CIE Form 609c
Section 1005.04, Florida Statutes
Rule 6E-1.0032, Florida Administrative Code

Name of Institution and CIE ID No. _____

Testing Code # _____

Certified Nursing Assistant

You are considering enrollment in a program that offers education and training relating to a career as a Certified Nursing Assistant. To practice as a Certified Nursing Assistant in Florida, you are required to pass the Florida Certified Nursing Assistant Examination. This is a standardized exam taken by students statewide.

In 20____, the statewide passage rate for first time test takers for the Certified Nursing Assistant Examination is _____%.

In the same year, _____ students from this institution took the Certified Nursing Assistant Examination for the first time and the institutional passage rate for first time test takers is _____%.

Status with the Florida Board of Nursing: _____ Not on probation
_____ On probation

Additional information about passage rates can be found online at

[http:// floridanursing.gov/education-and-training-programs/](http://floridanursing.gov/education-and-training-programs/).

(Student Signature)

(Institution Representative Signature)

(Print Name)

(Print Name and Title)

(Date)

(Date)

Instructions to Institutions

The Certified Nursing Assistant Student Disclosure Form must be completed by any prospective student or student re-entering a certified nursing assistant program approved by the Florida Board of Nursing. Institutions must complete the form with all applicable information before having the document signed by a student. The form must be signed by both the student and an institutional official. A copy of the signed form must be maintained in the student's file.

Passage rates for first time test takers and probationary status of the program must be provided for the most recent calendar year published by the Florida Board of Nursing. Each institution must update the disclosure form within 30 days of the date when the information is published on the Board of Nursing's website.

Insert the number of students who took the examination for the first time in the first blank following the phrase "In the same year." Insert the percentage of those students who passed the examination as reported on the Board of Nursing's website in the second blank.

If the institution had no students take the particular examination during the year, insert "n/t" for number of students and "n/a" for the percentage of students who passed the examination.

The percentages and numbers shown on an institution's Nursing Student Disclosure Form must be identical to the information shown for that institution on the Board of Nursing's website.