6E-1.0032 Fair Consumer Practices.

(1) – (14): No Changes

(15) Institutional Transparency Statement.

(a) Applicability and publication. Each institution licensed by the Commission shall publish and continuously maintain an Institutional Transparency Statement accurately describing the institution's current policies or practices concerning the matters identified in paragraph (c). An institution that maintains a publicly accessible website shall publish the statement either in full on its homepage or on a webpage accessible directly from its homepage through a clearly labeled, functioning hyperlink. An institution that does not maintain a publicly accessible website shall include the statement in its current institutional catalog and shall provide a copy, without charge, to any person requesting it within five business days after receipt of the request. Each institution shall make the statement available to prospective students before enrollment.

1. An institution licensed on the effective date of this paragraph shall publish or otherwise make available its Institutional Transparency Statement in accordance with paragraph (a). no later than sixty days after the effective date of this paragraph. Within the same period, the institution shall provide the Commission with an electronic copy of the statement and, if the institution maintains a publicly accessible website, the electronic address at which the statement is published.

2. An applicant for initial licensure shall submit, as part of its application for licensure, an electronic copy of its proposed Institutional Transparency Statement for the Commission to review, in order to determine whether the proposed statement addresses each applicable subject required by this paragraph. The statement shall be reviewed before initial licensure is granted. An institution initially licensed after the effective date of this paragraph shall publish the reviewed statement on its publicly accessible website or, if it does not maintain such a website, include the statement in its institutional catalog and make it available upon request, no later than thirty days after issuance of its license or before its first student enrollment, whichever occurs first. Within thirty days after issuance of its license, the institution shall provide the Commission with the electronic address at which the statement is published, if applicable.

(b) Content and institutional responsibility. The statement shall describe with specificity the institution's current policies or practices concerning each subject in paragraph (c) and any reforms or changes that have been formally adopted for future implementation concerning each subject applicable to the institution. The institution shall determine the wording of its

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statement and the substantive policies, practices, positions, and institutional priorities described therein.

1. If a subject is inapplicable to the institution because of the nature of its programs, students, faculty, research activities, educational mission, or other institutional circumstances, the institution shall identify the subject as inapplicable and briefly state the basis for that determination.

2. Nothing in this paragraph requires an institution to adopt, endorse, disavow, or refrain from adopting or expressing any particular viewpoint, belief, educational philosophy, religious tenet, or institutional mission.

3. Specificity and non-boilerplate. For each applicable subject, the statement shall identify the policy or practice in effect, describe the action the institution actually takes to implement it, and specify any material limitations or exceptions. An institution may use a standardized format or common policy language, but conclusory assurances, statements of values alone, or generalized language that does not identify the institution's actual policies or practices shall not satisfy this requirement. Where an institution has adopted a written policy, it shall identify the policy by title or subject and state how an interested person may obtain or review it.

4. Program and mission distinctions. If a material policy or practice differs among the institution's campuses, programs, or student populations, the statement shall identify the differences. A policy or change adopted for future implementation shall be identified as such, together with its scheduled effective date if established, and shall not be described as a current practice.

(c) Required subjects. The Institutional Transparency Statement shall address the following subjects:

1. Admissions transparency, merit, and equal treatment. The institution shall describe its admissions criteria and the manner in which those criteria are made available to prospective students; the role of merit, achievement, qualifications, and the institution's educational purpose in admissions decisions; and the institution's policies or practices for ensuring compliance with applicable federal and state laws prohibiting unlawful discrimination or unlawful preferences in admissions.

2. Free inquiry, expression, and campus operations. The institution shall describe its policies or practices concerning the free exchange of ideas, open inquiry, wide-ranging debate, and the consideration and expression of differing viewpoints. The institution shall also describe its policies or practices concerning conduct that materially disrupts classes, research, lectures, institutional activities, or campus operations, including unlawful

violence or harassment. The statement shall identify the institution's restrictions, if any, upon otherwise permissible political or ideological expression; its policies against retaliation based on such expression; and its policies concerning targeted harassment based on political or ideological views, consistent with paragraph (e).

3. Intellectual pluralism and academic vitality. The institution shall describe its policies or practices concerning intellectual pluralism and the consideration of relevant perspectives in its educational programs and curricula. An institution employing faculty shall also describe whether and how its faculty hiring and evaluation practices address academic qualifications, excellence, intellectual diversity, the institutional mission, and the consideration of relevant scholarly perspectives.

4. Affordability, cost discipline, pricing transparency, and student outcomes. The institution shall describe its policies or practices concerning tuition and fees, pricing transparency, cost containment, and information provided to students concerning educational costs and student outcomes. The institution shall describe, as applicable to its programs and mission, how its educational programs are designed to prepare students for employment, career advancement, further education, professional practice, or other stated program objectives, and how the institution evaluates student outcomes associated with those objectives.

5. Academic standards, rigor, and artificial intelligence. The institution shall describe its policies or practices for maintaining academic standards and assessing student learning, including, as applicable, policies concerning academic integrity, grading standards, grade inflation, and the permissible or impermissible use of artificial intelligence by students, faculty, or staff in instruction or assessment. The institution shall also identify the material criteria used to assign grades or determine academic standing, and the means by which those criteria are disclosed before enrollment as required by paragraph (e).

6. American students, national interests, and Florida workforce needs. The institution shall describe whether and how its educational programs, institutional planning, admissions policies, and other activities factor the educational and employment needs of students in the United States, the workforce needs of Florida and the United States, public or national service, and economic or other societal needs served by the institution's programs. The statement shall also describe any institutional policies concerning the enrollment of domestic and international students or the recruitment and employment of domestic and international faculty and staff.

7. Research integrity and foreign influence. An institution that conducts sponsored, externally funded, proprietary, sensitive, or other substantial research shall describe its policies or practices for protecting the integrity of the research enterprise, including policies

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concerning foreign gifts or funding, conflicts of interest or commitment, foreign participation in research, protection of sensitive research or technology, and compliance with applicable federal and state requirements concerning foreign influence.

8. Student grievance, academic review, and mission-based obligations. The institution shall identify its procedures for student complaints and for review of allegedly viewpoint-based grading or disciplinary decisions, including how a student requests review, who conducts the review, and the manner in which a decision is communicated. The institution shall also identify any mission-based ideological, philosophical, or religious commitments or conduct requirements that students are required to observe, and how and when prospective students receive notice of them.

(d) Accuracy and continuing obligation. The Institutional Transparency Statement is an institutional publication for purposes of this rule and shall comply with Rule 6E-2.004(11)(a). Information contained in the statement must be accurate and factual and must reflect the current status of the institution. Each institution shall revise the statement within thirty days after a material change in a policy or practice described in the statement when the change causes the published statement to cease accurately reflecting the institution's current status. The institution shall also make a revised statement available to prospective students before a new or materially changed mandatory requirement is applied to them. A revision made after enrollment shall not retroactively alter a material requirement previously disclosed to a student unless the change is otherwise authorized by law and the institution's published enrollment terms.

(e) Required disclosures, institutional compliance, and student protections. Each licensed institution shall comply with the following requirements as fair consumer practices and as applicable standards relating to publications, educational programs, and student services:

1. Pre-enrollment disclosure of grading and mission-based requirements. At least one week before enrollment or collection of tuition, whichever occurs first, the institution shall provide each prospective student, in writing or by access to an identified electronic publication, (I) the material program-level grading and assessment criteria, including minimum passing requirements, standards for satisfactory academic progress, and grounds for academic probation or dismissal; and (II) any mandatory ideological, philosophical, or religious belief, affirmation, observance, participation, expression, or conduct requirement materially affecting admission, enrollment, academic evaluation, continued attendance, clinical or experiential participation, or graduation. The disclosure shall distinguish requirements that a student must personally affirm or observe from course content that a student must understand or demonstrate mastery of. Course-specific grading criteria not established at the time of enrollment shall be furnished before the student undertakes work to which those

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criteria apply. The institution shall retain a dated copy or other reliable record of the disclosures made available to prospective students.

2. Viewpoint-neutral academic evaluation. Subject to the mission-based requirements permitted by subparagraph (e)8., an institution shall assign grades and determine academic standing by applying the academic criteria and standards disclosed to students. It shall not lower a grade, deny academic credit, impose academic probation, or otherwise adversely affect a student's academic standing solely because the student holds or expresses a political or ideological viewpoint that is otherwise permissible under the institution's previously disclosed policies. This requirement does not prevent assessment of whether a student can accurately describe, understand, analyze, critique, or apply a theory, doctrine, professional standard, or assigned viewpoint, or satisfy a legitimate academic requirement.

3. Prohibition of retaliation. An institution shall not impose, authorize, or knowingly permit adverse academic or disciplinary action against a student in retaliation for the student's expression of an otherwise permissible political or ideological viewpoint or for filing a good-faith complaint under subparagraph (e)5. An otherwise permissible expression is one that does not violate applicable law or an institution's lawful, previously disclosed academic, conduct, or mission-based requirements. When enforcing such requirements, the institution shall apply them consistently to similarly situated students and may sanction independently established misconduct without regard to the viewpoint expressed.

4. Targeted ideological harassment. Each institution shall adopt, disclose, and implement procedures for reporting and addressing conduct directed at an identifiable student because of the student's actual or perceived political or ideological views when the conduct is severe, pervasive, and objectively offensive and materially interferes with the student's access to or participation in the institution's educational program. The policy shall provide for a prompt and impartial assessment, appropriate corrective measures when a violation is established, and protection against retaliation for a good-faith report. Mere disagreement, criticism of ideas, academic debate, or expression that is offensive to another person, without satisfaction of the foregoing elements, shall not constitute harassment under this paragraph.

5. Independent appeal of grading or disciplinary action. Each institution shall publish and follow procedures by which a student may seek review of an alleged violation of subparagraph (e)2. or 3. The procedures shall provide (I) a reasonable period to initiate an appeal; (II) an opportunity to submit the challenged decision and relevant supporting information; (III) review by an individual or panel who did not make the challenged decision and has no direct personal interest in its outcome; and (IV) a written determination stating the disposition and reasons for the decision. The reviewer may be employed by the

institution but must be sufficiently independent of the original decisionmaker to evaluate the complaint impartially. An institution unable to provide such a reviewer internally shall designate an otherwise qualified reviewer. The institution shall communicate its determination within thirty calendar days after receipt of a complete appeal unless it documents good cause for an extension and notifies the student of the revised deadline. These procedures may be incorporated into the complaint and appeal procedures otherwise required by section 1005.04(1)(h), F.S., and this rule.

6. Conformance and substantiation. An institution shall materially conduct its operations in accordance with the current policies and practices that it represents to prospective or enrolled students in its Institutional Transparency Statement, catalog, enrollment disclosures, and other material institutional publications. Upon written request by the Commission identifying a particular representation or alleged departure from it, the institution shall identify and produce relevant existing policies, procedures, communications, or records reasonably sufficient to substantiate the representation or demonstrate its implementation, within ten days or such additional time as the Commission allows for good cause. Production shall be subject to applicable privileges and federal and state laws protecting confidential student information. This requirement does not compel the institution to create a policy or record that does not otherwise exist; if no such policy or record exists, the institution shall explain how the represented practice is implemented and verified. A material departure from an institution's published policy or practice shall not be cured solely by modifying the publication after the departure has occurred.

7. Sworn certification. With each licensure application or renewal, and at least once each twelve-month period while licensed, the institution's chief executive officer, president, or chief administrator responsible for institutional operations shall execute and submit Commission for Independent Education (CIE) Form 114, Affidavit for Institutional Transparency Statement, as a sworn statement in accordance with section 92.525, F.S. After reasonable inquiry, the official shall certify on the form that the Institutional Transparency Statement is accurate, complete, current, and supported by the institution's actual policies and practices; that the institution is materially complying with the requirements of this paragraph; and that any known material deviation or unresolved corrective action is specifically identified in an explanation accompanying the form. The institution shall submit the completed CIE Form 114 and any accompanying explanation to the Commission as part of its licensure application or renewal. A disclosed deviation does not excuse a violation of this rule. CIE Form 114, Affidavit for Institutional Transparency Statement, is incorporated by reference to become effective [Effective Date of Rule]. CIE Form 114 may be obtained without cost, from the Commission's website at www.fldoe.org/cie or by writing to the

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Commission for Independent Education, 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

8. Academic and institutional independence. Nothing in this paragraph requires an institution to espouse or disavow a particular political, ideological, philosophical, or religious viewpoint, or prevents instruction, evaluation, or enforcement of bona fide academic, professional, conduct, or mission-based requirements that are lawful, reasonably related to the institution's educational purpose, and disclosed as required by subparagraph (e)1. An institution may require students to understand or competently explain particular teachings without requiring personal assent. Any required personal profession of belief or observance must be clearly identified before enrollment and may be enforced only to the extent permitted by applicable law. The Commission shall assess compliance by reference to published requirements, objective actions, and reasonably available supporting evidence; it shall not adjudicate the truth, value, or orthodoxy of religious or philosophical teachings.

(f) Construction. This paragraph establishes a publication and transparency requirement. It does not supersede, replace, or alter any disclosure, reporting, consumer-protection, nondiscrimination, accreditation, or other requirement imposed by state or federal law, another provision of this chapter, or an applicable accrediting or regulatory agency.

Rulemaking Authority: 1005.22(1)(e); 1005.31(2), (3); 1005.33(1); 1005.34, 1005.39, F.S.

Law Implemented: 1005.04, 1005.31, 1005.33(1), 1005.34, 1005.38, F.S.

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