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MEMORANDUM

DATE: September 14, 2006

TO: Continuing Education and Pre-licensing Providers

FROM: Florida Department of Financial Services, Bureau of Licensing

SUBJECT: Course Audit Updates and Other Information of Interest to Providers

COURSE AUDITS

The Department has recently completed random Continuing Education and Pre-Licensing course audits throughout the state. Based on our findings, we have listed below some areas of concern and remind all providers of their importance.

- Student ID's must be checked at the beginning of the course as required in Rule Chapter 69B-211.180(7), Florida Administrative Code, for pre-licensing and Rule Chapter 69B-228-090(4)(a), Florida Administrative Code for continuing education.
- The Department must be notified in the event there is a change in the instructor as required by 69B-211.180(2), Florida Administrative Code, for pre-licensing and Rule Chapter 69B-228-090(1) (a) 4, Florida Administrative Code for continuing education.
- The Department must be notified of a change in course location as required in Rule 69B-211.180(2), Florida Administrative Code for pre-licensing and Rule Chapter 69B-228.090 (1) (a) 4, Florida Administrative Code for continuing education.
- Attendance checks are required for each 4-hour period for classroom and seminars as required in Rule Chapter 69B-228.100 (7) (a) 4, Florida Administrative Code for continuing education.
- The Department must be notified when a course offering is cancelled for any reason as required in Rule 69B-211.180(2), Florida Administrative Code for pre-licensing and Rule Chapter 69B-228-090(5), Florida Administrative Code for continuing education.
- Completion Rosters must be submitted within 20 days of the completion of a course offering as required in Rule Chapter 69B-211.190, Florida Administrative Code for pre-licensing and 69B.228.100, Florida Administrative Code for continuing education.
- Course Completion Certificates provided to course attendees must contain both the Course Approval ID# and Course Offering ID# which is required on the Department of Financial Services' standard Certificate of Completion Form DFS-H2-1668 available to providers on the Department's website at www.agents-florida.com.

On October 26, 2005, the Department placed an informational memo in each provider's inbox within the Education Database notifying providers of rules violations that the Department was observing. Please refer to Rule Chapter 69B-211.310, Florida Administrative Code for pre-licensing and Rule Chapter 69B-228.210, Florida Administrative Code for continuing education, for fine amounts applicable to any provider who does not adhere these rules. **The Department will continue to monitor providers and will assess applicable fines for Rule violations.**

ONLINE DATABASE ENHANCEMENTS

- **Course Offering cancellations** - a cancellation field has been added to the Course Offering application that allows a provider to cancel a Course Offering online. If the Provider desires to offer the course at a later date, the system will allow the new date(s) to be entered. This feature is only available for approved Course Offerings that have not yet past.
- **Course Offering change of location** – a provider can now change the location of a Course Offering without having to file a new Course Offering application. To do this, the course offering must be approved and the course offering date must not have past.
- **Completion Rosters** submissions - a new feature has been added to allow Providers to upload an Excel spreadsheet of course attendees. Providers may elect to do this rather than manually entering individuals' names directly into the online system.

Advertising

Advertising a course that has not been approved and advertising an approved course when a course offering application has not been approved is not permitted under Chapters 69B-211.180 and 69B-211.250, Florida Administrative Code, for pre-licensing and Chapters 69B-228.080, 69B-228.090 and 69B-228.150, Florida Administrative Code, for continuing education.

BACKGROUND HISTORY

Providers should inform prospective pre-licensing course attendees that if they have had a previous felony history they may not be eligible for licensure in accordance with Florida Administrative Code 69B-211.042, Effect of Law Enforcement Records on Applications for Licensure. For the purpose of determining eligibility for the license, the Department is concerned with the entire law enforcement record of an applicant. Therefore the application review of those applicants with a law enforcement history may take longer than the normal review time. Depending on the date of the felony charge(s), some applicants may not be eligible to licensure.

Continuing Education Credit Issues

- Licensees should be advised by continuing education providers that credit cannot be given for a course that has been taken by an individual more than once in a 3-year period as required in Chapter 69B-228.100, Florida Administrative Code.
- Continuing education providers should advise licensees that if they have been licensed over 6 years in Florida they can no longer take a “basic” level course and receive credit. Intermediate or advance level courses should be taken as required in Section 626.2815(3)(b), Florida Statutes.
- Licensees should be advised by continuing education providers that course completion certificates should not be submitted to the Department of Financial Services unless specifically requested to do so by Department staff.

E-MAIL ADDRESSES

The Department is asking for all providers' assistance in communicating to current and potential licensees the importance of maintaining a current e-mail address in the Department's records. In an ongoing effort to keep the licensee population abreast of important information such as legislative changes, rule changes, and other communications, the Department has been sending mass e-mails to all licensees who have provided the Department their e-mail address. Many licensees have either not provided the Department with an e-mail address or the e-mail address provided is no longer valid. Licensees can update the Department's records by going to the Bureau of Licensing's website at www.Agents-Florida.com and complete an on-line change of address. Please make every effort in each class you teach to pass on this very important information.