

1 House Memorial

2 A memorial to notify the Federal Government of colleges
3 and universities in this state which are authorized to
4 operate educational programs beyond the secondary level.

5
6 WHEREAS, On October 29, 2010, the United States Department
7 of Education issued its Final Rule on Program Integrity Issues,
8 75 Federal Register 66832 et seq., which includes amendments to
9 regulations at 34 Code of Federal Regulations s.
10 600.9(a)(1)(i)(A) requiring that educational institutions not
11 created by the state be "established by name as an educational
12 institution by a State through a charter, statute,
13 constitutional provision, or other action..." and be "authorized
14 to operate educational programs beyond secondary level,
15 including programs leading to a degree or certificate," and

16 WHEREAS, the Legislature chose to exempt from the
17 jurisdiction or purview of the Commission for Independent
18 Education "any institution that is under the jurisdiction of the
19 Department of Education, eligible to participate in the William
20 L. Boyd, IV, Florida Resident Access Grant Program and that is a
21 nonprofit independent college or university located and
22 chartered in this state and accredited by the Commission on
23 Colleges of the Southern Association of Colleges and Schools to
24 grant baccalaureate degrees," pursuant to s. 1005.06(1)(c),
25 Florida Statutes, and

26 WHEREAS, all institutions exempted from the jurisdiction or
27 purview of the Commission for Independent Education through
28 accreditation by the Commission on Colleges of the Southern

PCS for CS/HM 1445

2011

29 Association of Colleges and Schools must meet state requirements
30 regarding fair consumer practices under s.1005.04, Florida
31 Statutes; meet annual reporting requirements with respect to
32 crime statistics and physical plant safety under
33 ss.1005.04(1)(g) and 1013.11, Florida Statutes; and adopt hazing
34 policies and rules under s. 1006.63, Florida Statutes, and

35 WHEREAS, all institutions that are exempt from the
36 jurisdiction or purview of the Commission for Independent
37 Education under s. 1005.06(1)(c), Florida Statutes, may
38 participate in one or more state-funded student financial aid
39 programs subject to audit by the Florida Department of
40 Education, including, but not limited to, the Florida Private
41 Student Assistance Grant Program pursuant to s. 1009.51, Florida
42 Statutes, the Florida Bright Futures Scholarship Program
43 pursuant to s. 1009.53, Florida Statutes, and the William L.
44 Boyd, IV, Florida Resident Access Grant Program pursuant to s.
45 1009.89, Florida Statutes, and

46 WHEREAS, the institutions that are eligible to participate
47 in Florida's student financial aid programs include: Ave Maria
48 University, Barry University, Beacon College, Bethune-Cookman
49 University, Clearwater Christian College, Eckerd College, Edward
50 Waters College, Embry-Riddle Aeronautical University, Flagler
51 College, Florida College, Florida Hospital College of Health
52 Sciences, Florida Institute of Technology, Florida Memorial
53 University, Florida Southern College, Hodges University,
54 Jacksonville University, Lynn University, Nova Southeastern
55 University, Palm Beach Atlantic University, Ringling College of
56 Art and Design, Rollins College, Saint Leo University,

PCS for CS/HM 1445

2011

57 Southeastern University, St. Thomas University, Stetson
58 University, University of Miami, University of Tampa, Warner
59 University, Webber International University, Keiser University,
60 and Everglades University, NOW, THEREFORE,

61

62 Be It Resolved by the Legislature of the State of Florida:

63

64 That the 2011 Florida Legislature respectfully informs the
65 United States Department of Education that the colleges and
66 universities named in this memorial are authorized to operate
67 educational programs beyond the secondary level.

68 BE IT FURTHER RESOLVED that copies of this memorial be
69 dispatched to each college and university named in this
70 memorial, to the United States Secretary of Education, to the
71 President of the United States, to the President of the United
72 States Senate, to the Speaker of the United States House of
73 Representatives, and to each member of the Florida delegation to
74 the United States Congress.