

HM 1445

2011

## 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

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29 Association of Colleges and Schools must meet state reporting  
 30 requirements, including reporting on fair consumer practices  
 31 under s. 1005.04, Florida Statutes, reporting on hazing policies  
 32 and rules under s. 1006.63, Florida Statutes, reporting on  
 33 campus crime statistics under s. 1005.04 (1)(g), Florida  
 34 Statutes, and reporting on physical plant safety under s.  
 35 1013.11, Florida Statutes, and

36 WHEREAS, all institutions that are exempt from the  
 37 jurisdiction or purview of the Commission for Independent  
 38 Education under s. 1005.06(1)(c), Florida Statutes, may  
 39 participate in one or more state-funded student financial aid  
 40 programs subject to audit by the Florida Department of  
 41 Education, including, but not limited to, the Florida Private  
 42 Student Assistance Grant Program pursuant to s. 1009.51, Florida  
 43 Statutes, the Florida Bright Futures Scholarship Program  
 44 pursuant to s. 1009.53, Florida Statutes, and the William L.  
 45 Boyd, IV, Florida Resident Access Grant Program pursuant to s.  
 46 1009.89, Florida Statutes, and

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

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57 | Art and Design, Rollins College, Saint Leo University,  
58 | Southeastern University, St. Thomas University, Stetson  
59 | University, University of Miami, University of Tampa, Warner  
60 | University, and Webber International 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 have met the conditions in  
67 | 34 Code of Federal Regulations s. 600.9 and are authorized to  
68 | operate educational programs beyond the secondary level.

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