

By Senator Wise

5-01831-11

20111654

Senate Memorial

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

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

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

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

5-01831-11

20111654

30 Association of Colleges and Schools must meet state reporting  
31 requirements, including reporting on fair consumer practices  
32 under s. 1005.04, Florida Statutes, reporting on hazing policies  
33 and rules under s. 1006.63, Florida Statutes, reporting on  
34 campus crime statistics under s. 1005.04 (1)(g), Florida  
35 Statutes, and reporting on physical plant safety under s.  
36 1013.11, Florida Statutes, and

37 WHEREAS, all institutions that are exempt from the  
38 jurisdiction or purview of the Commission for Independent  
39 Education under s. 1005.06(1)(c), Florida Statutes, may  
40 participate in one or more state-funded student financial aid  
41 programs subject to audit by the Florida Department of  
42 Education, including, but not limited to, the Florida Private  
43 Student Assistance Grant Program pursuant to s. 1009.51, Florida  
44 Statutes, the Florida Bright Futures Scholarship Program  
45 pursuant to s. 1009.53, Florida Statutes, and the William L.  
46 Boyd, IV, Florida Resident Access Grant Program pursuant to s.  
47 1009.89, Florida Statutes, and

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

5-01831-11

20111654

59 Southeastern University, St. Thomas University, Stetson  
60 University, University of Miami, University of Tampa, Warner  
61 University, and Webber International University, NOW, THEREFORE,

62

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

64

65 That the 2011 Florida Legislature respectfully informs the  
66 United States Department of Education that the colleges and  
67 universities named in this memorial have met the conditions in  
68 34 Code of Federal Regulations s. 600.9 and are authorized to  
69 operate educational programs beyond the secondary level.

70

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