

By the Committee on Higher Education; and Senator Wise

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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

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30 Association of Colleges and Schools must meet state requirements
31 regarding fair consumer practices under s. 1005.04, Florida
32 Statutes, meet annual reporting requirements with respect to
33 crime statistics and physical plant safety under ss.

34 1005.04(1)(g) and 1013.11, Florida Statutes, and adopt hazing
35 policies and rules under s. 1006.63, 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
57 Art and Design, Rollins College, Saint Leo University,
58 Southeastern University, St. Thomas University, Stetson

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59 University, University of Miami, University of Tampa, Warner
60 University, Webber International University, Keiser University,
61 and Everglades University, NOW, THEREFORE,
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63 Be It Resolved by the Legislature of the State of Florida:
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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 are authorized to operate
68 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.