

20111654er

1  
2 A memorial to notify the Federal Government of  
3 colleges and universities in this state which are  
4 authorized to operate educational programs beyond the  
5 secondary level.  
6

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

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

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

20111654er

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

20111654er

59 University, University of Miami, University of Tampa, Warner  
60 University, Webber International University, Keiser University,  
61 and Everglades 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 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.