

### **6N-1.001 Definition of Terms.**

Terms used in these rules are defined in section 1000.35, F.S.

(1) through (5) No change.

(6) “Investigation” means any governmental action taken by an agency under the authority of the State of Florida.

(7) ~~(6)~~ “Member institution” means a postsecondary educational institution approved by the Council to participate in a reciprocity agreement.

(8) ~~(7)~~ “National Council for State Authorization Reciprocity Agreement” or “NC-SARA” means the national organization that administers the State Authorization Reciprocity Agreement.

(9) ~~(8)~~ “State Authorization Reciprocity Agreement” or “SARA” means the agreement specifying procedures and conditions for reciprocal recognition of institutions approved to provide distance education by states that are members of NC-SARA.

(10) ~~(9)~~ “Student” means the recipient or intended recipient of postsecondary educational activities as provided under the State Authorization Reciprocity Agreement.

*Rulemaking Authority 1000.35(10) FS. Law Implemented 1000.35(3), (5)-(7) FS. History—New 10-17-17; Amended*

### **6N-1.002 Approval of In-State Institutions to Participate in NC-SARA.**

(1) An in-State institution seeking approval to participate in SARA shall submit an application to the Council on Form 1000, Application and Approval Form for Institutional Participation in SARA (<http://www.flrules.org/Gateway/reference.asp?No=Ref08707>), effective May 2020 ~~October 2017~~ This form is incorporated by reference and may be obtained without cost from the Council’s website at [www.flrules.org](http://www.flrules.org) or by writing to the Commission for Independent Education at 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

(2) No change.

*Rulemaking Authority 1000.35(10) FS. Law Implemented 1000.35(3), (5)-(7) FS. History—New 10-17-17; Amended*

### **6N-1.003 Provisional Approval.**

(1) The Council shall, upon receipt of an in-State institution's complete application to participate in SARA, approve the institution to participate in SARA on a provisional status if the institution meets the requirements of this rule chapter, but also meets one of the following:

(a) The Institution is on provisional or probationary status or the equivalent with its institutional Accrediting Agency; Is on probationary status or the equivalent with its institutional accrediting association;

(b) The Institution is currently required by the U.S. Department of Education to post a letter of credit or is under a cash management agreement with the U.S. Department of Education (Such institutions must still have a Federal Financial Responsibility Composite Score of 1.0 or above.); Uses a letter of credit or is under a cash management agreement with the U.S. Department of Education;

(c) The Institution has a Federal Financial Responsibility Composite Score between 1.0 and 1.5; Is the subject of a publicly announced investigation by a government agency, and the investigation is related to the institution's academic quality, financial stability, or student consumer protection, or

(d) The Institution is the subject of a publicly announced investigation by a government agency, and the investigation is related to the institution's academic quality, financial stability or student consumer protection; Is the subject of an investigation by the State related to the institution's academic quality, financial stability, or student consumer protection.

(e) The Institution is the subject of a current investigation by its Home State relating to the institution's academic quality, financial stability or student consumer protection;

(f) However, a third-party action such as a private lawsuit or news story does not by itself establish a government investigation. If such a third-party event results in an investigation by a government agency as set forth in subsections d and e above, these subsections become applicable. Lawsuits by government entities are considered to have resulted from a governmental investigation and can be the basis of a determination of Provisional Status.

(2) through (5) No change.

*Rulemaking Authority 1000.35(10) FS. Law Implemented 1000.35(3), (6)-(7) FS. History—New 10-17-17, Amended 9-18-18.*

**6N-1.004 Annual Renewal of Approval of In-State Institutions to Participate in Florida's Reciprocity Agreement.**

(1) An in-State institution shall apply to the Council annually on Form 1001, Renewal Application for Institutional Participation in SARA (<http://www.flrules.org/Gateway/reference.asp?No=Ref-08708>), effective May 2020 ~~October 2017~~. This form is incorporated by reference and may be obtained without cost from the Council's website at [www.flsara.org](http://www.flsara.org) or by writing to the Commission for Independent Education at 325 West Gaines Street, Suite 1414, Tallahassee, Florida 32399-0400.

(2) through (4) No change.

*Rulemaking Authority 1000.35(10) FS. Law Implemented 1000.35(3), (6)-(7) FS. History—New 10-17-17, Amended 9-18-18.*