

1 SJR4
2 156454-1
3 By Senators Brewbaker and Waggoner
4 RFD: Rules
5 First Read: 14-JAN-14

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8 AFFIRMING THE CHARTER OF SOUTH UNIVERSITY,
9 MONTGOMERY AS AN EDUCATIONAL INSTITUTION IN THE STATE OF
10 ALABAMA, AUTHORIZED TO OPERATE POSTSECONDARY EDUCATIONAL
11 PROGRAMS.

12
13 WHEREAS, South University, Montgomery has operated
14 as an educational institution in the State of Alabama since
15 1886, has been incorporated in the State of Alabama since
16 1952, and has been accredited by the Commission on Colleges of
17 the Southern Association of Colleges and Schools since 1997;
18 and

19 WHEREAS, On October 29, 2010, the United States
20 Department of Education promulgated a new state authorization
21 regulation at 34 C.F.R. §600.9 under its authority to
22 implement the Higher Education Act of 1965, as amended; and

23 WHEREAS, 34 C.F.R. §600.9(a) requires an institution
24 to be "established by name as an education institution by a
25 State through a charter, statute, constitutional provision, or
26 other action issued by an appropriate State agency or State
27 entity;" and

1 WHEREAS, 34 C.F.R. §600.9(a) requires an institution
2 to be subject to "a process to review and appropriately act on
3 complaints concerning the institution including enforcing
4 applicable State laws;" and

5 WHEREAS, this Legislature has the authority to issue
6 charters to private institutions operating in this State; and

7 WHEREAS, The Consumer Protection Section of the
8 Office of the Attorney General of Alabama is generally
9 responsible for accepting and, when appropriate, acting on the
10 complaints of students and prospective students submitted to
11 the Office; and

12 WHEREAS, this Legislature has the authority to
13 authorize the Office of the Attorney General to enforce the
14 Legislature's acts and resolutions; now therefore,

15 BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH
16 HOUSES THEREOF CONCURRING, That by copy of this resolution,
17 South University, Montgomery is hereby chartered as an
18 educational institution in this State and is hereby authorized
19 to continue to operate educational programs beyond secondary
20 education, including programs leading to a degree or
21 certificate. Additionally, the Office of the Attorney General
22 is authorized to continue to accept and, when appropriate, act
23 on complaints submitted by students or prospective students
24 regarding South University, Montgomery.