

# FLORIDA DEPARTMENT OF EDUCATION



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July 19, 2013

Dauida Cavallo,  
Administrative Assistant  
California University of Pennsylvania  
250 University Avenue  
California, PA 15419

Dear Ms. Cavallo:

We are in receipt of your correspondence dated July 16, 2013 requesting state approval to offer distance learning courses to students in Florida in order to comply with 34 C.F.R. § 600.9(c). This regulation provides for the following:

If an institution is offering postsecondary education through distance or correspondence education to students in a state in which it is not physically located or in which it is otherwise subject to state jurisdiction as determined by the state, the institution must meet any state requirements for it to be legally offering postsecondary distance or correspondence education in that state. An institution must be able to document to the Secretary the state approval upon request.

The guidance issued by the United States Department of Education with regard to this regulation provides that "if a state does not regulate such activities by out-of-state institutions, the institution is considered to be legally operating in that state."

The Florida Commission for Independent Education does not regulate postsecondary educational institutions that do not have a physical presence in Florida. Consequently, as long as your institution does not establish a physical presence in Florida and continues to offer only distance learning education, such as online and correspondence courses, you are not under the jurisdiction of the Commission.

I trust that this letter will be sufficient to serve as documentation necessary for compliance with the federal regulation found above.

Sincerely,

A handwritten signature in cursive script that reads "Samuel L. Ferguson".

**SAMUEL L. FERGUSON**  
*Executive Director*  
*Commission for Independent Education*