



# SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

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## Mississippi Commission on Proprietary School Registration

### Vertical Tabs

1. Agency and Contact Information

**1A1. Agency Name:**

Commission on Proprietary School and College Registration

**1A2. Agency Description - Please review the description below and revise as appropriate (e.g., state executive agency, agency with appointed board, department or division within agency, etc.):**

The (Mississippi) Commission on Proprietary School and College Registration serves as the approval and licensing authority for proprietary schools offering vocational/occupational/technical post-secondary education.

**1A3. Agency Contact - Please review and correct as necessary the contact information below:**

Kim Verneuille  
Director of Proprietary Schools  
Commission on Proprietary Schools and College Registration (CPSCR)  
601-432-6185  
[kverneuille@mccb.edu](mailto:kverneuille@mccb.edu) [1]

**1A4. Who should institutions contact if they have questions about your agency's authority, policies, or application process:**

See above.

**1B. Links - Please provide web links to your agency home page, the regulations pertaining to authorization, and any other links important for understanding your agency's responsibility for authorization:**

[Link to agency](#) [2]

**1C1. Other Agencies - According to our records, the following agencies also have responsibility for authorization in the state. Please correct, add to, or clarify this list of authorizing authorities as necessary. These agencies will also be requested to complete this survey:**

Mississippi Commission on College Accreditation

**1C2. If the division of responsibility among these agencies is not clear, please explain:**

The CPSCR has oversight of for-profit technical and vocational degree and non-degree granting institutions. MCCA has oversight of for-profit academic degree granting institutions, religious institutions and private institutions.

2. Types of Educational Providers Authorized

**2A1. Institution Types Authorized - Indicate the types of institutions that your agency authorizes. Feel free to provide a short explanation of any ambiguity:**

Private, in-state, for-profit degree granting institutions

Private, out-of-state, for-profit degree granting institutions

Non-degree, not-for-profit institutions

Non-degree, for-profit institutions

**2A2. Clarifying comments:**

The Commission on Proprietary School & College Registration (CPSCR) oversees private non profit & for-profit institutions offering vocational/occupational/technical (Associate (only) degree granting & non-degree granting).

**2B1. Multiple Agencies - Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals):**

No

**2C1. Accreditation - Is accreditation required for an institution to be authorized in your state:**

No

**2D1. Does your agency authorize specific academic programs offered by institutions, only institutions themselves, or both:**

Institutions Only

**2E2a. Nursing:**

Yes

**2E2b. Name and Contact Information:**

MS Board of Nursing

**2E6a. Others (please list):**

Yes

**2E6b. Name and Contact Information:**

Massage Therapy

MS State Board of Massage Therapy

Cosmetology

MS State Board of Cosmetology

Barbering

MS State Board of Barber Examiners

### 3. Exemptions

#### **3A1. General Exemptions - Are certain institutions or programs exempt by law or policy from your state authorization requirements:**

Yes

#### **3A2. If yes, to which institutions or programs does the exemption apply? How does it work (please describe)? If available, please provide any pertinent web links:**

Section 75-60-5, Mississippi Code of 1972, as amended, provides for some exemptions from registration with the commission. Accordingly, the following categories of courses, schools and colleges are not required to register with the Commission on Proprietary School and College Registration:

- a. Tuition-free courses or schools conducted by employers exclusively for their own employees
- b. Institutions under the jurisdiction of the Board of Trustees of State Institutions of Higher Learning or the State Board for Community and Junior Colleges;
- c. Institutions or courses of instruction under the jurisdiction of the State Board of Cosmetology, State Board of Barber Examiners or the State Board of Massage Therapy;
- d. Courses of instruction required by law to be approved or licensed, or given by institutions approved or licensed, by a state board or agency other than the Commission on Proprietary School and College Registration; however, an institution so approved or licensed may apply to the Commission on Proprietary School and College Registration for a Certificate of Registration to be issued in accordance with the provisions of this chapter;
- e. Correspondence courses;
- f. Nonprofit private institutions offering academic credits at primary or secondary levels, or conducting classes for exceptional education as defined by regulations of the State Department of Education;
- g. Nonprofit private colleges and universities or any private institution offering academic credits at primary, secondary or postsecondary levels;
- h. Courses of instruction conducted by a public school district or a combination of public school districts;
- i. Courses of instruction conducted outside the United States;
- j. Any institution that offers only instruction in subjects that the Commission on Proprietary School and College Registration determines are primarily for non-vocational, personal improvement or cultural purposes and that does not represent to the public that its course of study or instruction will or may produce income for those who take that course of study or instruction;
- k. Courses conducted primarily on an individual tutorial basis, where not more than one (1) student is involved at any one (1) time, except in those instances where the Commission on Proprietary School and College Registration determines that the course is for the purpose of preparing for a vocational objective;
- l. Kindergartens or similar programs for preschool-age children.

Nationally accredited schools shall follow accreditation standards for hiring and training faculty and any state statute that contradicts those federal standards is not applicable to nationally accredited schools. All other schools must comply fully with the applicable state statutes.

#### **3A3. If yes, how does the institution or program claim an exemption? For example, is the exemption automatic as long as it meets specified criteria, does the institution or program notify the agency and the exemption is granted, is there an application process, etc.:**

The institution writes a letter to the Commission stating exempt status. The Commission sends back an exemption letter.

**3B. Other Requirements - If an institution or program is exempt from state authorization, are there any other state requirements that an institution would need to fulfill in order to operate in your state (e.g., providing contact information, list of programs, etc.):**

Unknown

**3C1. Religious Institutions - Does your state constitution or do your state laws provide any exemptions for religious institutions:**

No

4. Authorization of Distance Education

**4A1. Does your agency require purely (100%) distance education programs, including online or correspondence study programs that enroll residents of your state, to be authorized without regard to physical presence:**

Yes

**4A2. Clarifying Comments:**

Depends on Criteria Requirements. See below.

**4B2. Clarifying comments:**

In compliance with 34 CFR 600.9(c), any institution not based in the State of Mississippi, whether or not it offers instruction to residents of Mississippi only over the Internet, is determined to need a Certificate of Registration issued by the commission to offer postsecondary instruction in the State if they engage in at least one of the following activities:

- A. The institution maintains a telephone number with a Mississippi area code;
- B. The institution maintains a postal address with a Mississippi zip code;
- C. The institution markets and/or recruits Mississippi students via any means of media which originates in Mississippi;
- D. The institution maintains an Internet URL which originates in Mississippi or utilizes an ISP which is based in Mississippi; or
- E. The institution provides payment reportable for income tax purposed via either a W-2 or Form 1099 to any individual resident of the State for any purpose associated with the institution's Mississippi students.

5. Physical Presence Policy – Common “Triggers”

**5A. If your agency uses a physical presence standard, how does your agency define physical presence? If available, please provide a link to that policy or a citation to the relevant regulation giving that standard:**

In compliance with 34 CFR 600.9(c), any institution not based in the State of Mississippi, whether or not it offers instruction to residents of Mississippi only over the Internet, is determined to need a Certificate of Registration issued by the commission to offer postsecondary instruction in the State if they engage in at least one of the following activities:

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- C. The institution markets and/or recruits Mississippi students via any means of media which originates

in Mississippi;

D. The institution maintains an Internet URL which originates in Mississippi or utilizes an ISP which is based in Mississippi; or

E. The institution provides payment reportable for income tax purposed via either a W-2 or Form 1099 to any individual resident of the State for any purpose associated with the institution's Mississippi students.

#### INSTRUCTIONAL ACTIVITIES

**5B1a. Hosting short term, face-to-face, seminars or conferences in the state where students meet in person:**

No

**5B2a. Permitting a student to complete an internship, externship, field experience, or clinical practicum organized by the institution:**

No

**5B3a. Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently:**

No

#### PROPERTY IN THE STATE

**5B4a. Maintaining a location (physical building) in the state that is used for instructional activity:**

Yes

**5B5a. Maintaining a location (physical building) in the state that is used ONLY for non-instructional activity (administration, recruitment, etc.):**

Yes

**5B6a. Housing ONLY computer servers or other equipment at a physical location in the state:**

Yes

**5B7a. Maintaining an in-state address or phone number, regardless of use:**

Yes

#### RECRUITING ACTIVITIES

**5B8a. Organized, consistent, on - the - ground recruiting of students in the state by employees or agents of the institution:**

Yes

**5B8c. What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs):**

Yes

#### THIRD PARTY AGREEMENTS/CONTRACTS

**5B9a. Having a contract/agreement between the institution and in-state institutions or in-state entities to provide services for students (i.e. library, gym, computer centers, etc.):**

No

**5B10a. Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution:**

No

**5B11a. Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution:**

No

#### ADVERTISING

**5B12a. Advertising in local media sources that are largely viewed by residents of the state**

:

Yes

**5B13a. Advertising in national media sources that can be accessed by residents of the state:**

No

EMPLOYMENT IN THE STATE

**5B14a. Employing full-time faculty in the state to provide instruction via distance education programs to students in the state:**

Yes

**5B14c. What about adjunct faculty:**

Yes

**5B15a. Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state:**

Yes

**5B15c. What about adjunct faculty:**

Yes

**5B16a. Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis:**

Yes

OTHER

**5B17a. Other [please explain]:**

Yes

**5B17b. Clarifying Comments::**

See above.

**5C1. Combinations - Of the activities or conditions listed above that alone would not constitute a physical presence, are there any that, if combined, would create a physical presence:**

Yes

**5C2. Clarifying Comments:**

See above.

## 6. Application Process

**6A. Description - Please provide a short description of the application process to obtain state authorization. If available, please provide web links to the specific references to all applicable state laws, regulations, manuals, forms, or other pertinent documents:**

After receipt of the written request and a \$25 application fee, each prospective applicant will be mailed a copy of the Mississippi Proprietary School and College Registration Regulations and a copy of the application packet.

<http://www.mccb.edu/program/psDefault.aspx> [2]

**6B. Processing Time - Generally, how long does it take to approve applications (assuming that the agency has received all required information from the institution)? Please provide a typical range if appropriate:**

The Commission meets bi-monthly to review and approve applications. Therefore, 60 days would be the longest timeframe.

**6C. Duration - What is the authorization duration:**

Certificates are good for two years, but schools must submit documentation annually for renewal.

**6D. Maintenance - What does an institution need to do to maintain authorization:**

Submit renewal applications in a timely manner.

**6E. Reporting - What kinds of information or data must an institution report to your agency as a condition for continued authorization? How frequently is this reported or updated? Is this information published or shared publicly:**

Annual submittal of financial and programmatic information.

**6F. Loss of Status - Can an institution lose its authorized status? If so, how?:**

The Commission on Proprietary School and College Registration may suspend, revoke or cancel a Certificate of Registration for any one (1) or any combination of the following causes:

- a) Violation of any provision of Mississippi Proprietary School Law (Title 75 Chapter 60, Mississippi Code of 1972, as amended), or any regulation made by the commission
- b) The furnishing of false, misleading or incomplete information requested by the commission;
- c) The signing of an application or the holding of a Certificate of Registration by a person who has pleaded guilty or has been found guilty of a felony or any other indictable offense;
- d) The signing of an application or the holding of a Certificate of Registration by a person who is addicted to the use of any narcotic drug, or who is found to be mentally incompetent;
- e) Violation of any commitment made in an application for a Certificate of Registration;
- f) Presentation to prospective students of misleading, false or fraudulent information relating to a course of instruction, employment opportunity, or opportunities for enrollment in accredited institutions of higher education after entering or completing courses offered by the holder of a Certificate of Registration;
- g) Failure to provide or maintain premises or equipment for offering courses of instruction in a safe and sanitary condition;
- h) Refusal by an agent to display his/her Agent Permit upon demand of a prospective student or other interested person;
- i) Failure to maintain financial resources adequate for the satisfactory conduct of courses of study as presented in the plan of operation or to retain a sufficient number and qualified staff of instruction; however nothing in this document shall require an instructor to be certificated by the Commission on Proprietary School and College Registration or to hold any type of post-high school degree;
- j) Offering training or courses of instruction other than those presented in the application; however, institutions may offer special courses adapted to the needs of individual students where the special courses are in the subject field specified in the application;
- k) Accepting the services of an agent not licensed in accordance with Mississippi Proprietary School and College Law (Sections 75-60-23 through 75-60-37, inclusive of the Mississippi Code of 1972, as amended);
- l) Conviction or a plea of nolo contendere on the part of any owner, operator or director of a registered institution of any felony under Mississippi law or the law of another jurisdiction;
- m) Continued employment of an instructor who has been convicted of, or entered a plea of nolo

contendere to, any felony under Mississippi law or the law of another jurisdiction;  
n) Incompetence of any owner or operator to operate a school or college.

**6Ga. Multi-Institutional Systems - Can a multi-institutional system or college corporation apply to your agency for authorization on behalf of all of its component institutions? If so, please describe the process:**

Yes.

**6Gb. Would multi-institution public systems be treated the same as multi-location for-profit institutions:**

Unsure.

**6H. Distinctive Features - What distinctive features in your authorization process would be useful for applicants to know (e.g., certain times during the year that you process applications for authorization, sharing of applications or information about proposed programs with institutions or other stakeholders in your state for comment):**

Commission meets bi-monthly.

**6I1. Amendments - Is your agency currently planning to amend its application process by the end of 2013:**

Yes

**6I2. If yes, please provide a brief description of the anticipated change:**

Fee Schedule was updated.

**6I3. If yes, when does the agency expect the change to be fully implemented:**

July 1, 2011

7. Fees Associated with Authorization

**7A. Application Fee - Is there an application fee to initiate the authorization process? If so, what is the fee or fee schedule? Please provide a web link if available:**

Yes. \$25 application fee.

**7B. Other Costs - Are there any other costs associated with the state authorization process (e.g. site visits, hiring a reviewer, surety bond, tuition recovery fund, agent licensing, etc.):**

Yes.

**7C. Renewal Costs - What are the costs, if any, to renew authorization:**

Yes. \$1000 per institution.

**7D. Exemption Costs - What costs are associated with receiving a waiver or exemption to**



**authorization:**

None.

8. Interstate Reciprocity

**8A. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe:**

No. Mississippi is an approved SARA state.

**8B. What is the process, if any, to obtain a reciprocal agreement with your state:**

For approved SARA institutions, the school may submit an copy of the SARA approval if they wish. However, CPSCR does not require it.

For non-SARA institutions, please reference the Authorization of Distance Education section.

**8C. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements:**

Mississippi is a SARA approved state.

**8D. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate:**

Depends. Contact CPSCR.

9. Consumer Protection and Student Complaints

**9A1. Does your agency have a process for handling complaints about postsecondary institutions or programs::**

Yes

**9A2. If yes, please describe the process or provide a web link to the material that describes the complaint process:**

Complaints must be submitted in writing to the commission by a person with standing.

The commission must receive all complaints within two (2) years of the alleged violation.

The commission will maintain a record of all written complaints received.

The commission will notify the complainant that the complaint has been received and will request further information if necessary.

The commission will notify the Chief Operating Officer of the Institution that a complaint has been made and, where appropriate, the nature of the complaint. An informal conference with an institution representative may be scheduled at this time. The commission may request a written response to the issues in the complaint.

If the complaint is resolved as a result of the informal conference, the commission will maintain written documentation of the resolution. The complainant, the agent, and the employing institution will be notified of the resolution agreement.

If the complaint is not resolved through the informal process, the commission may schedule a hearing

in accordance with the procedure in section 3.21 of this document.

The commission will issue a written finding within ninety (90) days of receipt of the complaint. This finding will be sent to the complainant, and the Institution's Chief Operating Officer, and will be placed in the institution's file at the commission office.

If the commission determines that the complaint does not fall under the provisions of Section 75-60-19 of the Mississippi Code of 1972, as amended, the commission will attempt to refer the complainant to an appropriate agency of oversight body.

The commission may initiate an investigation without registration of a complaint.

**9A3a. If yes, does this complaint process extend to institutions not authorized by the agency that may enroll residents of the state (such as explicitly distance education programs with no physical presence or exempt institutions):**

No

**9A4. If available, please provide a web link to the complaint form:**

[Complaint Form](#) [3]

**9B. Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available:**

Kim Verneuille  
Director  
Commission on Proprietary Schools and College Registration  
301-432-6185  
[kverneuille@mccb.edu](mailto:kverneuille@mccb.edu) [1]

10. Enforcement

**10A. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action:**

Institutions are notified in writing to comply with registration requirements. Enforcement action is handled on an individual institution basis.

**10B. Can an institution or program appeal a warning or enforcement action? If yes, please describe the process or provide web links to the regulations/policies:**

Yes. Section 3.23 Civil Penalties & Administrative Sanctions. Item G.

Any penalty or administrative sanction imposed by the commission under this section may be appealed by the institution, college or other person affected to the Mississippi Community College Board as provided in Section 75-60-4(3), Mississippi Code of 1972, as amended which appeal shall be on the record previously made before the commission's hearing officer. All appeals from the Mississippi Community College Board shall be on the record and shall be filed in the Chancery Court of the First Judicial District of Hinds County, Mississippi.

11. Legislative or Regulatory Changes

**11A1. Amendments - Is your agency or state legislature currently planning to amend its regulations or alter its physical presence policy:**

Yes

**11A2. If yes, please provide a brief description of the anticipated change:**

General updates to Regulations.

**11A3. If yes, when does the agency expect the change to be fully implemented:**

Fall 2017

**11B1. Federal Regulations - Is your agency or state legislature making changes in your state regulations or statutes so that institutions with locations in your state would be considered legally authorized in accordance with the federal institutional eligibility regulations:**

No

**11C1. Other Changes - Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization:**

No

12. Other

**12A. Is there anything else about the authorization process in your state that we and others ought to know about:**

Link to regulations: <http://www.mccb.edu/program/psDefault.aspx> [2]

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**Source URL:** [http://sheeo.org/sheeo\\_surveys/user/23](http://sheeo.org/sheeo_surveys/user/23)

**Links**

[1] <mailto:kverneuille@mccb.edu>

[2] <http://www.mccb.edu/program/psDefault.aspx>

[3] <http://www.mccb.edu/pdfs/pg/PSComplaintForm.pdf>