



SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

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Michigan Department of Licensing and Regulatory Affairs

Vertical Tabs

1. Agency and Contact Information

1A1. Agency Name:

Michigan Department of Licensing and Regulatory Affairs

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.):

Michigan Department of Licensing and Regulatory Affairs has authority over private colleges, universities, and non-degree granting proprietary schools.

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

Michael Beamish, Manager, Michigan Department of Licensing and Regulatory Affairs Corporations, Securities, and Commercial Licensing Bureau, Licensing Division, PO Box 30718 - Lansing, MI 48909 517-241-6806 beamishm@michigan.gov [1]

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

Michael Beamish Michigan Department of Licensing and Regulatory Affairs Bureau of Commercial Services Licensing Division PO Box 30714 - Lansing, MI 48909 517-241-6806 beamishm@michigan.gov [1]

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 regulations](#) [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:

17.1 Proprietary School Licensing Sources (please see Attachment 1 - Question 12)

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:

Public, out-of-state degree granting institutions

Private, in-state, not-for-profit degree granting institutions

Private, out-of-state, not-for-profit degree granting institutions

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

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

Public, in-state, non-degree granting institutions

Public, out-of-state, non-degree granting institutions

Non-degree, not-for-profit institutions

Non-degree, for-profit institutions

Religious Institutions

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

Yes

2C2. If yes, please explain:

For degree granting

2C3. If yes, what type of accreditation is required? Please check all that apply:

Regional

National

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

Both Institutions and Programs

3. Exemptions

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

No

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

Yes

3C2. If yes, are all religious institutions exempt (please describe):

No. See: <http://legislature.mi.gov/doc.aspx?mcl-450-184> [3]

3C3. If yes, are religious institutions that award only religious degrees or certificates exempt (please describe):

Yes.

3C4. If yes, are certain religious institutions exempt that meet other criteria (please describe):

Yes. See: <http://legislature.mi.gov/doc.aspx?mcl-450-184> [3]

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:

Michigan is a SARA member state.

The Higher Education

Authorization and Distance Education Reciprocal Exchange Act (2015 PA 45) was signed by Governor Snyder on June 8, 2015, and became effective June 9, 2015.

Out-of-state schools that are not a member of a national reciprocity agreement or located in states that are not a member of a national reciprocity agreement may seek authorization under this act to provide distance education to Michigan residents. To be eligible to apply and participate, a school must be degree granting and accredited. There is no religious exemption.

All materials are

accessible at www.michigan.gov/pss [4]

. Forms and Publications: [OUT-OF-STATE INSTITUTION DISTANCE EDUCATION AUTHORIZATION \(PPS-040\)](#) [5]

4B1. If not, does your agency determine whether an institution must be authorized based on a physical presence (“operating”) standard:

Yes

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:

Brick and mortar of some type and providing face to face instruction.

<http://legislature.mi.gov/doc.aspx?mcl-450-170> [6]

INSTRUCTIONAL ACTIVITIES

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

Yes

5B1b. Clarifying Comments:

Case by case evaluation.

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

No

5B2c. Does this apply only to distance education students or more generally:

Distance Education Only

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

No

5B3c. Does this apply only to distance education students or more generally:

Distance Education Only

PROPERTY IN THE STATE

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

No

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

No

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

No

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

No

RECRUITING ACTIVITIES

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

No

5B8b. Clarifying Comments:

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

No

5B8d. Clarifying Comments:

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

5B9b. Clarifying Comments:

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

:

No

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:

No

5B14c. What about adjunct faculty:

No

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

No

5B15c. What about adjunct faculty:

No

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

No

OTHER

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:

www.Michigan.gov/pss [7]

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:

30-90 days.

6C. Duration - What is the authorization duration:

1 year

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

Non degree granting- license renewal/ degree granting, as long as adequacy of 5 areas found in law are maintained. distance ed renewal

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:

none currently.

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

Fail to renew, degree granting lose accreditation.

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:

Case by case, most likely no, only for component institutions actually operating in state.

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

Yes.

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

No

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:

www.Michigan.gov/pss [7]

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.):

Non- degree surety bond.

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

see website

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

Not applicable.

8. Interstate Reciprocity

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

SARA state

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

SARA state

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:

Yes. <http://www.michigan.gov/pss> [4]

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](#) [8]

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:

Refer to Attorney General and/or local law enforcement.

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:

No

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:

Source URL: http://sheeo.org/sheeo_surveys/user/49

Links

[1] <mailto:beamishm@michigan.gov>

[2] http://www.michigan.gov/lara/0,4601,7-154-35299_35414_2739---,00.html

[3] <http://legislature.mi.gov/doc.aspx?mcl-450-184>

[4] <http://www.michigan.gov/pss>

[5] http://www.michigan.gov/documents/lara/PPS040_7-15_495238_7.pdf

[6] <http://legislature.mi.gov/doc.aspx?mcl-450-170>

[7] <http://www.Michigan.gov/pss>

[8] <http://www.michiganps.net/complaint.aspx>