



SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

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North Dakota Department of Career and Technical Education

Vertical Tabs

1. Agency and Contact Information

1A1. Agency Name:

North Dakota Department of Career and Technical Education

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 North Dakota Department of Career and Technical Education (CTE) is part of State Government. CTE has an eight-member board with representation from K-12, Job Service, Higher Education, and the public.

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

Debra Huber
Administrator, Educational Equity, Private Postsecondary Institutions,
and Special Populations
State Capitol 15th Floor
600 East Boulevard Avenue, Dept. 270
Bismarck, ND 58505-0610
701-328-2678
dehuber@nd.gov ^[1]

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

Debra Huber
Administrator, Educational Equity, Private Postsecondary Institutions,
and Special Populations
State Capitol 15th Floor
600 East Boulevard Avenue, Dept. 270
Bismarck, ND 58505-0610
701-328-2678

dehuber@nd.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:

[Home Agency](#) [2]

[Regulations Pertaining to Authorization](#) [3]

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:

Additional Responsibility (program approval): www.ndus.edu

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

Career and Technical Education has responsibility for authorization or exemption of private career schools conferring the OAS degree, diplomas and certificates. All other schools and institutions must contact the North Dakota University System Office.

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, 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

2A2. Clarifying comments:

Regarding Private, in-state, not-for-profit degree granting institutions, there are 3 institutional exemptions - each institution must retain recognized accreditation, however, to avoid oversight.

Degree-granting institutions limited to those conferring OAS degrees.

AS or AA and above report to the North Dakota University System.

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:

Yes

2C2. If yes, please explain:

Those institutions granting associate of arts or science, bachelors, masters or doctorate degrees, i.e.,

private degree granting institutions, must provide evidence of accreditation by an organization recognized by the Council for Higher Education Accreditation. □Those institutions granting associate of applied science degrees, diplomas, or certificates, i.e., private career schools, must provide evidence of accreditation by an organization recognized by the United States Department of Education.

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

Regional

National

Programmatic/specialized, if applicable

2C4. Clarifying comments:

Programmatic accreditation may be required if licensure in that field is dependent upon appropriate programmatic accreditation.

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

Both Institutions and Programs

2E1a. Education:

Yes

2E1b. Name and Contact information, Education:

Education Standards And Practices Board

www.state.nd.us/espb [4]

2E2a. Nursing:

Yes

2E2b. Name and Contact Information:

State Board of Nursing

www.ndbon.org [5]

2E3a. Social Work:

Yes

2E3b. Name and Contact Information:

North Board of Social Work Examiners

www.ndbswe.org [6]

2E4a. Counseling Psychology:

Yes

2E4b. Name and Contact Information:

State Board of Psychological Examiners

www.ndsbpe.org [7]

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:

<http://www.nd.gov/cte/private-post-inst/> [3]

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.:

CTE Exemption Request on this website: <http://www.nd.gov/cte/private-post-inst/> [3]

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.):

Yes - see link above

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:

No

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:

See CTE memo on CTE website:

<http://www.nd.gov/cte/private-post-inst/docs/MemotoColleges2011.pdf> [8]

INSTRUCTIONAL ACTIVITIES

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

Yes

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

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

Yes

RECRUITING ACTIVITIES

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

No

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

No

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.):

Yes

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

Yes

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

Yes

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:

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:

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:

Yes

OTHER

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:

No

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:

CTE Website: <http://www.nd.gov/cte/private-post-inst/> [3]

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:

Approximately six months assuming there is a scheduled CTE board meeting pending to review approval/disapproval. Meeting schedule is posted on CTE website: <http://www.nd.gov/cte/meetings/>

6C. Duration - What is the authorization duration:

One year or until June 30 of the following year

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

Application to renew an authorization to operate must be submitted to the board at least ninety days prior to the expiration date. Authorizations expire on the thirtieth day of June.

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:

See application form

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

The State Board may revoke an authorization in the event a school fails to comply with the provisions of NDCC ch 15-20.4.

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:

No

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

Public institutions are regulated by the State Board for Higher Education.

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):

The State Board may seek external review of applications as it deems necessary.

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:

Yes. \$2,000.00

<http://www.nd.gov/cte/private-post-inst/docs/DegreeGrantingApplication20...> [9]

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 - see application to operate a Private Career School:

<http://www.nd.gov/cte/private-post-inst/> [3]

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

Renewal cost is \$500.

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

No costs for a waiver

8. Interstate Reciprocity

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

All policies outlined in ND Century Code.

<http://www.legis.nd.gov/cencode/t15c20-4.pdf> [10]

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

In writing to the State Board for Career and Technical Education

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

No.

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 related to authorized schools can be filed with the ND Department of Career and Technical Education.

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

9A3b. Clarifying comments:

Complaints related to authorized institutions are handled by CTE staff.
Complaints related to exempt/unauthorized institutions are handled by the AG's Office.

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

Parrell D. Grossman, Director
Office of Attorney General
Consumer Protection and Antitrust Division
Gateway Professional Center
1050 East Interstate Avenue, Ste. 200
Bismarck, ND 58503
701-328-5570
pgrossman@nd.gov [11]

10. Enforcement

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, in writing to the State Board

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:

Legislation pending

11C2. If yes, please provide a brief description of the anticipated change:

Legislation pending

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

Yes

Source URL: http://sheeo.org/sheeo_surveys/user/61

Links

[1] <mailto:dehuber@nd.gov>

[2] <http://www.nd.gov/cte/>

[3] <http://www.nd.gov/cte/private-post-inst/>

[4] <http://www.state.nd.us/esp>

[5] <http://www.ndbon.org>

[6] <http://www.ndbswe.org>

[7] <http://www.ndsbpe.org>

[8] <http://www.nd.gov/cte/private-post-inst/docs/MemotoColleges2011.pdf>

[9] <http://www.nd.gov/cte/private-post-inst/docs/DegreeGrantingApplication2006.pdf>

[10] <http://www.legis.nd.gov/cencode/t15c20-4.pdf>

[11] <mailto:pgrossman@nd.gov>