



# SHEEO

STATE HIGHER EDUCATION EXECUTIVE OFFICERS ASSOCIATION

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[Home](#) > Ohio Board of Regents

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## Ohio Board of Regents

### Vertical Tabs

1. Agency and Contact Information

**1A1. Agency Name:**

The Ohio Board of Regents

**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 Chancellor of the Ohio Board of Regents approves the offering of degrees, degree programs, and credit-bearing course work within the State of Ohio by the following institutions: a) University System of Ohio (USO) colleges and universities; b) Ohio's independent non-profit colleges and universities; c) Out-of-state public and independent colleges and universities; d) For-profit institutions that offer, or solicit for, programs at or above the baccalaureate level\*; e) For-profit institutions that offer associate degrees that want to be eligible to participate in the Ohio College Opportunity Grant program\*

\* For-profit institutions are also regulated by the Ohio State Board of Career Colleges and Schools.

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

Matt Exline

Assistant Director, Program Development and Approval

614-728-3095

[mexline@regents.state.oh.us](mailto:mexline@regents.state.oh.us) [1]

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

Matt Exline

Assistant Director, Program Development and Approval

614-728-3095

[mexline@regents.state.oh.us](mailto:mexline@regents.state.oh.us) [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 page](#) [2]

[General State Statute](#) [3]

[Issuance of Certificates of Authorization \(for non-USO institutions only\)](#) [4]

[General Administrative Rule](#) [5]

**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:**

Ohio State Board of Career Colleges and Schools.

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

The Ohio Board of Regents and the State Board of Career Colleges and Schools shares dual authority over for-profit institutions that offer degrees/coursework at-or-above the bachelor's level, or solicits Ohio residents for such programs in the state. For-profit institutions that offer associate degrees may also request authorization from the Chancellor of the Ohio Board of Regents to participate in the Ohio College Opportunity Grant program.

## 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, in-state degree granting institutions

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

Tribally-controlled institutions

**2A2. Clarifying comments:**

Regarding for-profit institutions: See earlier comments regarding dual oversight between the Ohio Board of Regents and the State Board of Career Colleges and Schools.

Regarding Non-degree institutions: Institutions that only offer credit-bearing coursework must also be authorized by the Chancellor of the Ohio Board of Regents.

Regarding religious institutions: Institutions operating as "bible colleges" or "bible institutes" may operate in Ohio without the Chancellor's authorization provided that meet the criteria established pursuant to §1713.02(E) of the Ohio Revised Code. Institutions operating under these criteria may not offer degrees and must limit its course of instruction to prepare individuals for a religious vocation.

Regarding tribal institutions: Currently, there are no tribally-controlled institutions operating in Ohio. However, such institutions that would offer coursework/ degrees in Ohio would need to be authorized by the Chancellor.

**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):**

Yes

**2B2. If so, please explain:**

Please see earlier comments regarding the dual authority of for-profit institutions between the Ohio Board of Regents and the State Board of Career Colleges and Schools.

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

Yes

**2C2. If yes, please explain:**

Institutions must be accredited by an agency recognized by the United States Department of Education or Council of Higher Education Accreditation as a requirement to be considered for authorization by the Chancellor. Institutions that are not accredited at the time they request authorization must pursue and attain accreditation within six years of beginning instruction in the state.

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

Regional

National

Programmatic/specialized, if applicable

**2C4. Clarifying comments:**

Programmatic/specialized accreditation is encouraged and may be required to meet the requirements of other state licensing agencies.

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

Programs Only

**2D2. Clarifying comments:**

Authorization is specifically granted by program, delivery format, and delivery site.

**2E1a. Education:**

No

**2E2a. Nursing:**

Yes

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

State of Ohio Board of Nursing

**2E3a. Social Work:**

Yes

**2E3b. Name and Contact Information:**

State of Ohio Counselor, Social Worker and Marriage & Family Therapist Board

**2E4a. Counseling Psychology:**

Yes

**2E4b. Name and Contact Information:**

State of Ohio Counselor, Social Worker and Marriage & Family Therapist Board

**2E5a. Allied Health Professions and Related Programs:**

Yes

**2E5b. Name and Contact Information:**

State of Ohio Medical Board

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

Yes

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

These agencies' duties include approving continuing education coursework, issuing initial licenses, and renewing licenses:

- Ohio Department of Education
- Ohio Veterinary Medical Licensing Board
- Ohio Board of Speech-Language Pathology and Audiology
- Ohio Respiratory Care Board
- Ohio Department of Commerce, Division of Real Estate and Professional Licensing
- State Board of Psychology
- State Board of Orthotics, Prosthetics, and Pedorthics
- Ohio State Board of Optometry
- Occupational Therapy, Physical Therapy, and Athletic Trainers Board
- Department of Public Safety
- Board of Embalmers and Funeral Directors
- Board of Dietetics
- Ohio Chemical Dependency Professionals Board
- Ohio State Barber Board
- Ohio State Chiropractic Board
- Ohio State Cosmetology Board
- Ohio State Dental Board

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:**

Certain institutions operating as "bible colleges" or "bible institutes" may operate in Ohio without the Chancellor's authorization. See item "c" for more information.

The Ohio Department of Higher Education does not regulate federally run institutions on federal property.

**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.:**

There is no formal process for requesting an exemption. Institutions may continue to operate provided that its activities do not trigger the board's authorization process.

**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.):**

Institutions may need to file the appropriate documentation with the Secretary of State's office to operate in the state.

**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 below.

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

No. See below.

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

Institutions operating as "bible colleges" or "bible institutes" may operate in Ohio without the Chancellor's authorization provided that meet the criteria established pursuant to §1713.02(E) of the Ohio Revised Code. Institutions operating under these criteria may not offer degrees and must limit its course of instruction to prepare individuals for a religious vocation. Religious institutions that offer degrees or credit-bearing coursework must be authorized by the Chancellor

#### 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

**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:**

The current law and rule does not specifically define “physical presence.”

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Out-of-state institutions offering distance education programs to Ohio residents must seek authorization from the Chancellor if:

- The institution maintains a “brick and mortar” presence in Ohio;
- The online program contains a component (e.g., student teaching, clinical placement, practicum) that will be completed in Ohio; or
- The institution solicits Ohio residents for its programs (for-profit institutions only).

### INSTRUCTIONAL ACTIVITIES

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

Yes

**5B1b. Clarifying Comments:**

Depends on the nature of activity taking place in such meetings.

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

Yes

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

More Generally

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

Yes

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

More Generally

### PROPERTY IN THE STATE

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

No

### RECRUITING ACTIVITIES

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

Yes

**5B8b. Clarifying Comments:**

for for-profit institutions soliciting residents for programs at-or-above the bachelor's level.

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

Yes

**5B8d. Clarifying Comments:**

Depends. The agency evaluates these requests on an individual basis and will determine if approval is necessary based on the level of activity.

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

**5B12b. Clarifying Comments:**

for for-profit institutions soliciting residents for programs at-or-above the bachelor's level.

**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:**

Yes

**5B16b. Clarifying Comments:**

Depends on the nature of activity taking place in such meetings.

## 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:**

Institutions seeking authorization from the Chancellor of the Ohio Board of Regents must meet the minimum standards established in Chapter 3333-1-08 of the Ohio Administrative Code pursuant to §1713.03 of the Ohio Revised Code. Institutions begin the process by submitting an initial inquiry and applicable fees and are required to submit information on forms prescribed by the Chancellor. The type of review performed (site visit/document review) is dependent on the nature of the request and may include discipline experts contracted by the agency. Institutions are required to contact the agency prior to initiating the process to determine the forms needed and the type of review to be performed. The Chancellor renders the final decision to approve or not approve a request.

Responses to the remaining parts of question six and all of question seven pertains to the authorization process for institutions that submit a request to offer coursework/programs at locations in Ohio; for out-of-state institutions that wish to request approval for degree programs offered entirely online; and for reviews of teacher education programs that lead directly to Ohio licensure. New abbreviated review processes for solicitation by for-profit institutions and for online programs that contain on-ground components is described under item twelve.

**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:**

Once a proposal is received, the average time to complete the process is 4-6 months.

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

Authorization is generally aligned with the institution's national/regional accreditation reaffirmation review cycle. New institutions submitting an initial request for authorization, or existing institutions submitting a request at a new degree level, may be provisionally authorized for three-years.

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

Institutions that attain authorization for new degree programs must submit annual progress reports for the first three years of program operation.

Institutions may also request continued authorization (institutional reauthorization) to continue to operate in the state. This process is typically coincides with an institution's national/regional accreditation reaffirmation review.

**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:**

In the submission of annual program progress reports, institutions provide updates describing how the college/university continues to demonstrate compliance with the review team's original report. In addition, the institution provides updated program viability information (e.g., enrollment, curricular

changes, faculty, support services, etc.).

In the submission of requests for institutional reauthorization, institutions submit an application prescribed by the agency and copies of the institution's current catalog, handbooks, and last report from its national/regional accreditor.

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

Institutions that fail to continue to meet the standards for authorization may have its certificate of authorization revoked pursuant to §1713.04 of the Ohio Revised Code.

**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:**

A multi-institutional system may apply for authorization but approval is specifically granted by institution, program, site, and delivery format.

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

Yes.

**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):**

Requests for new degrees or institutional reauthorization are posted on the agency's website for public comment before the Chancellor reviews the request.

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

Yes

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

The agency is continually exploring ways to collaborate with accrediting bodies and other state agencies. Institutions submitting requests that also require the approval of other agencies are encouraged to work with the Board of Regents to schedule joint/concurrent reviews.

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. The fees to submit a request have been established under Chapter 3333-1-13 of the Ohio Administrative Code: <http://codes.ohio.gov/oac/3333-1-13> [6]

Fees vary by degree level and for in- and out-of-state institutions.

**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.):**

Institutions bear all costs associated with a request for authorization. This may include consultant fees and expenses (if a site visit is performed). Institutions may also be required to pay fees to file any necessary documentation with the Secretary of State's office to operate in the state.

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

The fee to submit annual program progress reports is \$800 per program.

Generally, the fee to submit a request for institutional reauthorization is \$300, which is to perform a document review. The fee will increase if a site visit has to be conducted.

**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.

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

Legislative change would be required to permit the Chancellor to enter into such agreements.

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

As of April 2014, the agency has developed draft legislation that would allow the Chancellor to enter into an interstate reciprocity agreement with the Midwestern Higher Education Compact. The proposed language is currently under review through the appropriate legislative processes.

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

Please see above.

9. Consumer Protection and Student Complaints

**9C. If your agency has no formal process for handling complaints related to postsecondary institutions, what state agency would handle a complaint:**

The agency does receive student complaints. Students are encouraged to try to resolve their issue

through their institution's formal grievance procedures. If the student's issue is not resolved through this process, the agency may then contact the institution on the student's behalf and request that institution work with the student to resolve the issue. If the grievance involves an issue that violates the agency's standards for authorization, the agency would contact the institution to determine the severity of the issue and what agency action would be taken.

## 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 operating illegally in the state are sent a letter informing them of the law and rule regulating institutions of higher education. Institutions are requested to contact the agency immediately to initiate the process. If the institution does not respond in a timely manner or responds and continues to operate illegally, the agency may involve the Attorney General's office. If the institution fails to begin the authorization process or cease-and-desist its activities, the office of the Attorney General may file an injunction against the institution.

### **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:**

There is no formal process for an institution to appeal a warning to the agency. Institutions are encouraged to contact the agency to resolve any issues regarding its operations within the state.

Institutions that possess a certificate of authorization that are subject to having their certificate revoked may request a hearing pursuant to Chapter 119 of the Ohio Revised Code.

## 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:**

The agency is revising Chapter 3333-1-08 (Rule 8) of the Ohio Administrative Code to better address current trends in higher education (e.g., distance education, electronic resources, flexibly delivered programs, collaboration with accreditation bodies). HOWEVER, there are no anticipated changes to policies regarding what triggers the authorization process with regard to onsite or distance education.

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

The amended rule should be in effect before the end of 2014.

### **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

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

The agency is writing a new standards manual that better aligns the review processes between the University System of Ohio institutions and institutions requesting certificates of authorization.

**11C3. If yes, when does the agency expect the change to be fully implemented:**

The manual should be completed and effective before the end of 2014.

**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

12. Other

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

The agency has developed an abbreviated review process for out-of-state institutions that intend to offer online programs with on-ground components, and for for-profit institutions that intend to solicit Ohio residents for its online programs. The process includes submitting an application and the necessary fees. These requests are administratively reviewed and approved by the Chancellor's staff and are typically completed within 30-45 days of receiving a complete request. Please contact Shane DeGarmo for more information.

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**Links**

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