

SHEEO State Authorization Inventory

Arkansas

Please note: For purposes of this survey, the terms “authorize” and “authorization” are used generically to include approve, certify, license, regulate, recognize, empower, or similar actions relative to the operation, provision, or availability of postsecondary education in your state.

1. Agency and Contact Information

a. Agency Name: **Arkansas Higher Education Coordinating Board**

o Description:

Any non-public or out-of-state postsecondary education institution offering courses/degree programs customarily offered in colleges and universities to Arkansas students must obtain Arkansas Higher Education Coordinating Board (AHECB) certification prior to offering those courses/degree programs.

o Contact:

Zanette Douglas

Coordinator of Institutional Certification

Arkansas Higher Education Coordinating Board

501-371-2012

zanette.douglas@adhe.edu

o Please state who institutions should contact if they have questions about your agency’s authority, policies, or application process?

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b. Links:

Link to agency: <http://www.adhe.edu/Pages/home.aspx>

Link to regulations:

http://www.adhe.edu/divisions/academicaffairs/Pages/aa_certification.aspx

c. The following agency also has responsibility for authorization in the state and was requested to complete a survey.

Arkansas State Board of Private Career Education

- d. If the division of responsibility among these agencies is not clear, please explain.
The Arkansas Department of Higher Education is responsible for associate and above degrees and coursework.

The Arkansas State Board of Private Career Education is responsible for career training and certificates and diplomas.

2. Types of Educational Providers Authorized

- a. Please indicate the types of institutions that your agency authorizes, using the list below. Please answer “yes” or “no” to each item. Feel free to provide a short explanation of any ambiguity, including any necessary clarification of “in-state,” “out of state,” or other terminology.

- Yes** Public, in-state degree granting institutions
- Yes** Public, out-of-state degree granting institutions
- Yes** Private, in-state, not-for-profit degree granting institutions
- Yes** Private, out-of-state, not-for-profit degree granting institutions
- Yes** Private, in-state, for-profit degree granting institutions
- Yes** Private, out-of-state, for-profit degree granting institutions
- No** Public, in-state, non-degree granting institutions
- No** Public, out-of-state, non-degree granting institutions
- No** Non degree, not-for profit institutions
- No** Non degree, for-profit institutions
- Yes** Religious institutions
- No** Tribally-controlled institutions

Clarifying comments:

- b. Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals)? If so, please explain.
Yes, see “e” below.
- c. Is accreditation required for an institution to be authorized in your state?
- o If yes, please explain:
An institution must have accreditation in order to have their degrees/courses certified.

- If yes, what type of accreditation is required? Please, check all that apply as appropriate.

Regional
 National
 Programmatic/specialized

Clarifying comments:

- d. Does your agency authorize specific academic programs offered by institutions or only institutions themselves?

Certification is required of degrees and coursework, not institutions.

- e. Programs in certain subject areas that may require approval.

Education

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Nursing

Karen McCumpsey, M.N.Sc, R.N., C.N.E.
Assistant Director
Arkansas State Board of Nursing
1123 South University Avenue, Suite 800
Little Rock, AR 72204 501-686-2712

Social Work

Social Work Licensing Board
P.O. Box 251965
Little Rock, Arkansas 72225
Phone: (501) 372-5071
E-Mail: swlb@arkansas.gov

Counseling Psychology
Board of Examiners in Counseling
Ann K. Thomas, PhD
Executive Director
P. O. Box 70
Magnolia, Arkansas 71754-0070
Telephone: 870-901-7055
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Web; www.state.ar.us/abec

3. Exemptions

- a. Are certain institutions or programs exempt by law or policy from your state authorization requirements?
Yes, military, church-related, and non-academic coursework.
 - If yes, please describe which institutions or programs the exemption applies to and how it works? If available, please provide any pertinent web links.
<http://www.adhe.edu/SiteCollectionDocuments/AcademicAffairsDivision/ICAC%20Rules%20and%20Regulations/PARTIV.pdf>
 - 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.?
See website:
http://www.adhe.edu/divisions/academicaffairs/Pages/aa_certification.aspx
[X](#)
- b. 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.)?
See forms for Letter of Exemption from Certification, 17A and 17B, containing requirements at:
http://www.adhe.edu/divisions/academicaffairs/Pages/aa_certification.aspx
- c. Does your state constitution or do your state laws provide any exemptions for religious institutions?
Arkansas Department of Higher Education provides a Letter of Exemption from Certification for church-related training programs.
 - Are all religious institutions exempt (please describe)?
No, only institutions offering church-related training.

- Are religious institutions that award only religious degrees or certificates exempt (please describe)?

Yes.

- Are certain religious institutions exempt that meet other criteria (please describe)?

No.

4. Authorization of Distance Education

- a. 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. Physical presence is not a factor in certification.

- b. If not, does your agency determine whether an institution must be authorized based on a physical presence or “operating” standard?

5. Physical Presence Policy – Common “Triggers”

- a. 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.

Not applicable. See website:

http://www.adhe.edu/divisions/academicaffairs/Pages/aa_certification.aspx

<http://www.adhe.edu/SiteCollectionDocuments/AcademicAffairsDivision/ICAC%20Rules%20and%20Regulations/Authority.pdf>

- b. Please specify whether any of the following activities would constitute a physical presence or signify “operating” in your state, assuming that the named activity is the institution’s sole activity in your state. **Please answer “yes” or “no” to each question. In addition you may provide a short explanation of any ambiguity.**

- Permitting a student to complete an internship, externship, field experience, or clinical practicum organized by the institution?
 - Does this apply only to distance education students or more generally?
- Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently?

- Does this apply only to distance education students or more generally?
- Employing full-time faculty in the state to provide instruction via distance education programs to students in the state?
 - What about adjunct faculty?
- Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state?
 - What about adjunct faculty?
- 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.)?
- Organized, consistent, on-the-ground recruiting of students in the state by employees or agents of the institution?
 - What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs)?
- Advertising in local media sources that are largely viewed by residents of the state?
- Advertising in national media sources that can be accessed by residents of the state?
- Having computer servers or other equipment located in the state?
- Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?
- Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?
- Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?
- Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?
- Other [please explain]

- c. 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?

6. Application Process

- a. 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.

Application process includes different applications for on-site versus online or distance programming. The submission of materials is not open-ended. There are annual deadlines for submission of letter of intent and presentation to the Board.

Rules and regulations stipulate that any institution offering degrees and courses to Arkansas residents must seek certification.

- b. 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.
6 months to a year.
- c. What is the authorization duration?
Initially, authorization is for two years with recertification for up to five years.
- d. What does an institution need to do to maintain authorization?
Continue to meet requirements for initial certification.
- e. 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?
Yearly submission of tuition, enrollment, and graduation.
- f. Can an institution lose its authorized status? If so, how?
Loss of accreditation, financial problems.
- g. 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, each institution must apply separately.
- h. Would multi-institution public systems be treated the same as multi-location for-profit institutions?
Yes.

- i. 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)?
- j. Is your agency currently planning to amend its application process by the end of 2011?
No.
 - o If yes, please provide a brief description of the anticipated change.
 - o If yes, when does the agency expect the change to be fully implemented?

7. Fees Associated with Authorization

All fees for “a” through “d” are listed on <http://www.adhe.edu/SiteCollectionDocuments/AcademicAffairsDivision/Delores/APPENDIX%20F%20Fees%202011.pdf>

- a. 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.
- b. 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.)?
- c. What are the costs, if any, to renew authorization?
- d. What costs are associated with receiving a waiver or exemption to authorization?

8. Interstate Reciprocity

- a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.
SREB programs are accepted for reciprocity.
- b. What is the process, if any, to obtain a reciprocal agreement with your state?
- c. Are there any reciprocal agreements currently in place or under consideration? If so, please list those agreements.
No.
- d. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate.

9. Consumer Protection and Student Complaints

- a. Does your agency have a process for handling complaints about postsecondary institutions or programs?

Yes.

- If yes, please describe the process or provide a web link to the material that describes the complaint process.

<http://www.adhe.edu/SiteCollectionDocuments/AcademicAffairsDivision/ICAC%20Rules%20and%20Regulations/APPENDIXJ.pdf>

- 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)?

It applies to any student enrolled in an out-of-state or for-profit institution.

- If available, please provide a web link to the complaint form.

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

- b. If your agency has no formal process for handling complaints related to postsecondary institutions, what state agency would handle a complaint?

10. Enforcement

- a. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action?

A letter is sent informing them that they either have to apply for certification or cease enrollment of students. If this does not happen, the Attorney General's Office is notified.

- b. 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.

<http://www.adhe.edu/SiteCollectionDocuments/AcademicAffairsDivision/ICAC%20Rules%20and%20Regulations/APPENDIXJ.pdf>

11. Legislative or Regulatory Changes

- a. Is your agency or state legislature planning to amend its regulations or alter its physical presence policy by the end of 2011?

No.

- If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?
- b. 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.

- If yes, please provide a brief description of the anticipated change.
 - If yes, when does the agency expect the change to be fully implemented?
- c. Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization?

No.

- If yes, please provide a brief description of the anticipated change.
- If yes, when does the agency expect the change to be fully implemented?

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