

# SHEEO State Authorization Inventory

## Minnesota

**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: **Minnesota Office of Higher Education**
  - Description:  
Public and private schools that offer degrees to Minnesota residents but do not require the student to leave the state for a majority of the program or course must register with the Minnesota Office of Higher Education.
  - Contact:  
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Manager, Institutional Registration & Licensing  
Minnesota Office of Higher Education  
1450 Energy Park Drive, Suite 350  
St. Paul, MN 55108  
651-259-3975  
651-642-0675 FAX  
[george.roedler@state.mn.us](mailto:george.roedler@state.mn.us)
  - Please state who institutions should contact if they have questions about your agency’s authority, policies, or application process?
- b. Links:  
Link to regulations: <http://www.ohe.state.mn.us/mPg.cfm?pageID=197>
- c. The following agencies also have responsibility for authorization in the state.
  - Minnesota Board of Cosmetology
  - Minnesota Barber Board
  - Minnesota Department of Transportation (Truck Driving)
- d. If the division of responsibility among these agencies is not clear, please explain.

## 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.

- No 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
  - Yes Public, out-of-state, non-degree granting institutions
  - Yes Non degree, not-for profit institutions
  - Yes Non degree, for-profit institutions
  - Yes Religious institutions
  - Tribally-controlled institutions
- There is a religious exemption for some degrees and/or programs.**  
**Not required to Register, but some do voluntarily.**

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.

**Sometimes. If, for example, a Cosmetology School wants to participate in the Minnesota State Grant Program or MN SELF Loan program they must also be licensed by the Office of Higher Education.**

- c. Is accreditation required for an institution to be authorized in your state?

**Yes for degree granting institutions.**

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

- Regional
- National
- Programmatic/specialized

Clarifying comments:

**Accreditation must be approved by USDOE for purposes of participation in federal student aid.**

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

Degrees and non-degree programs.

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

**Education**

(Sometimes if for licensure purposes).

**Nursing**

612-617-2270

**Counseling Psychology**

(Sometimes if for licensure purposes).

### 3. Exemptions

- a. Are certain institutions or programs exempt by law or policy from your state authorization requirements?

Purely religious schools with clearly religious degrees and/or programs.

- If yes, please describe which institutions or programs the exemption applies to and how it works? If available, please provide any pertinent web links.

[www.ohe.state.mn.us](http://www.ohe.state.mn.us) –Minn. Stat. 136A.653

- 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.?

Asks.

- 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.)?

No.

- c. Does your state constitution or do your state laws provide any exemptions for religious institutions?

See above.

- Are all religious institutions exempt (please describe)?

No.

- 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, if a degree granting institution. No, if it is a non-degree granting institution.

- 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.

- 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?

Yes.

- Does this apply only to distance education students or more generally?

Generally.

- Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently?

Yes.

- Does this apply only to distance education students or more generally?  
Generally.
- Employing full-time faculty in the state to provide instruction via distance education programs to students in the state?  
No answer provided.
  - 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?  
No.
  - What about adjunct faculty?  
No.
- 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.
- Organized, consistent, on-the-ground recruiting of students in the state by employees or agents of the institution?  
Yes.
  - What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs)?  
Yes, except for college fairs at high schools, etc.
- Advertising in local media sources that are largely viewed by residents of the state?  
Yes.
- Advertising in national media sources that can be accessed by residents of the state?  
No.
- Having computer servers or other equipment located in the state?  
Yes.
- Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?  
Yes.

- Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?  
**Yes.**
  - Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?  
**Yes.**
  - Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?  
**Yes.**
  - 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.  
<http://www.ohe.state.mn.us/mPg.cfm?pageID=205>  
**Nine page application packet, clear instructions and fairly standard, but detailed. There is an extensive application. The directions are clear. Approval of each degree level and each program is required. Plans for student records in case of institutional closure are required.**
- 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.  
**Usually 4 to 6 months.**
- c. What is the authorization duration?  
**One year.**
- d. What does an institution need to do to maintain authorization?  
**Annual renewal.**
- 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?  
**Records, except for financial data, are public. Annual renewal.**

- f. Can an institution lose its authorized status? If so, how?  
**Yes, voluntarily or by OHE action.**
- 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.  
**We have started doing this. The process is the same.**
- 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

- 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.  
**Yes. Degree granting institutions that offer one degree:**  
**Associates - \$2,000**  
**Bachelors - \$2,500**  
**Masters - \$3,000**  
**Doctoral - \$3,500**

**A new school that will offer more than one degree per level during its first year must pay registration fees in an amount equal to the fee for the first degree at each degree level under paragraph (b), plus fees for each additional non degree program or degree as follows:**

<b>Non degree program additional</b>	<b>\$250</b>
<b>Associate degree additional</b>	<b>\$250</b>
<b>Bachelors degree additional</b>	<b>\$500</b>
<b>Doctoral degree additional</b>	<b>\$1000</b>
<b>Annual renewal</b>	<b>\$1200</b>

Please see the Minnesota Statute 136A.69 on our web site at [www.ohe.state.mn.us](http://www.ohe.state.mn.us) for the additional information.

- 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.)?  
**Sometimes.**
- c. What are the costs, if any, to renew authorization?  
**Costs for a paper review (\$400.00) and/or an onsite review or visit which can be more expensive depending on location and number of degrees, etc.**
- d. What costs are associated with receiving a waiver or exemption to authorization?  
**No fee for exemption.**

## **8. Interstate Reciprocity**

- a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.  
**Neither.**
- 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.  
**Yes.**

## **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.ohe.state.mn.us/mPg.cfm?pageID=1078>
  - 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)?

- 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.

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[george.roedler@state.mn.us](mailto:george.roedler@state.mn.us)

- 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?  
 Initially a letter with a request that the institution contact the Office and/or submit an application. There is statutory authority for fines of up to \$500.00 per day per violation and/or injunctive relief.
- 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.  
 They can contact the Office and can request an administrative hearing.

## 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?**