

SHEEO State Authorization Inventory

New York

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.

The following agency did not respond to the survey. This information was provided courtesy of the law firm Dow Lohnes PLLC and was current as of September 2011.

1. Agency and Contact Information

a. Agency Name: **Office of College and University Evaluation**

o Description:

The Office of College and University Evaluation (OCUE) and the Bureau of Proprietary School Supervision (BPSS) regulate institutions that do one of the following things: (a) operate a physical instruction site; (b) sponsor organized activities within the state related to an academic program; or (c) maintain a representative acting on its behalf within the state to arrange or conduct instructional or academic support activities. OCUE regulates degree-granting institutions; BPSS regulates non-degree institutions.

o Contact Information:

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518-474-2593
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518-474-2593
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o Please state who institutions should contact if they have questions about your agency’s authority, policies, or application process?

Same as above.

b. Links:

For regulations: <http://www.highered.nysed.gov/ocue/lrp/rules.htm>

For forms: <http://www.highered.nysed.gov/ocue/aipr/register.html>

- c. The following agency also has responsibility for authorization in the state and was also requested to complete a survey.
Bureau of Proprietary School Supervision, New York State Education Department
- d. If the division of responsibility among these agencies is not clear, please explain.

For Complaint Process Information:

**New York Office of College and University Evaluation
New York State Education Department
5 North Mezzanine
Albany, NY 12234
ocueinfo@mail.nysed.gov**

<http://www.highered.nysed.gov/ocue/spr/COMPLAINTFORMINFO.html>

Staff Guidance and Comment from Dow Lohnes:

**Staff guidance confirms that no licensure is required for a strictly online program. Also, NY has a clear “presence policy” posted on its website at:
<http://www.highered.nysed.gov/ocue/ded/policies.html>.
This policy applies to both agencies.**

Licensure Process Overview:

**Develop a proposal based on the requirements available at:
<http://www.highered.nysed.gov/ocue/aipr/Protocolforopeningacollege.htm>
The proposal must include an institutional self-study and other information. Submit with fee.**

Average Approval Period:

More than two years.

Legislative & Regulatory Developments:

S.B. 4268 & A.B. 7859 – Would clarify that minimal contacts such as career fairs and conferences would not require licensure and would remove the artificial distinction between business schools and other career schools. SB and AB were referred to the Senate Finance Committee on 5/10/11. Companion legislation has been introduced in the Assembly and was referred to the Higher Education Committee on 5/19/11. The bill appears to have bipartisan support (which is critical in the divided New York legislature), but a previous version failed in the 2009-10 session. As of September 2011, the bill remains pending before the Senate Finance Committee.