

# SHEEO State Authorization Inventory

## Ohio

**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: **Ohio State Board of Career Colleges and Schools**

o Description:

The Ohio State Board of Career Colleges and Schools regulates the for-profit schools seeking to offer degree and non-degree programs within the state of Ohio. For for-profit institutions offering degree programs, also refer to the Ohio Board of Regents regulations.

o Contact Information:

John Ware  
Executive Director  
Ohio State Board of Career Colleges and Schools  
614-466-7802  
[john.ware@scr.state.oh.us](mailto:john.ware@scr.state.oh.us)

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:

Link to home page: <http://scr.ohio.gov/>

Link to regulations: In general, the offering and/or soliciting for programs (both online and classroom based) under the jurisdiction of the Ohio State Board of Career Colleges and Schools ("SBCCS") is governed by Ohio Revised Code ("ORC") section 3332.06(A)(1) that prohibits the offering of programs in Ohio and/or soliciting program enrollment in Ohio unless the programs are approved in accordance with ORC 3332.05. Please see link for more details:

<http://codes.ohio.gov/orc/3332.06>

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

The Ohio Board of Regents.

- 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  
**No** Public, out-of-state degree granting institutions  
**No** Private, in-state, not-for-profit degree granting institutions  
**No** 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  
       Public, in-state, non-degree granting institutions  
**No** Public, out-of-state, non-degree granting institutions  
**Yes** Non degree, not-for profit institutions  
**Yes** Non degree, for-profit institutions  
**No** 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. For-profit institutions offering programs at the baccalaureate degree level or higher must also be approved by the Ohio Board of Regents.**

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

**Yes, for degree granting institutions.**

- If yes, please explain:

**Schools seeking to offer degree programs must be institutionally accredited by an accrediting agency recognized by the USDOE.**

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

- X   Regional  
  X   National  
       Programmatic/specialized

Clarifying comments:

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

We approve both schools and programs.

- e. Do programs in certain subject areas require the separate approval by another state entity; for example, a professional licensing agency?

**Education**

Certain programs may need the approval of the Ohio Department of Education or the Ohio Board of Regents.

**Nursing**

Ohio Board of Nursing

**Social Work**

Programs may need to be approved by the Ohio State Board of Counselors and Social Workers.

**Counseling Psychology**

Programs may need to be approved by the Ohio State Board of Counselors and Social Workers.

**Allied Health Professions and related programs**

Various programs may need the approval of the Ohio State Medical Board, the Ohio Department of Health, the Ohio Dental Board, or the Ohio State Board of Occupational Therapists, Athletic Trainers, and Physical Therapists.

**Others**

Cosmetology: Ohio State Board of Cosmetology

Truck Driving: Ohio Department of Public Safety

### 3. Exemptions

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

Yes.

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

There are specific exemptions provided in Ohio Revised Code Section 3332.02.

- 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.?  
Exemptions would be automatic if the school meets the criteria listed in the statute.
- 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 answer provided.
- c. Does your state constitution or do your state laws provide any exemptions for religious institutions?  
There is an exemption for non-degree religious training programs.
  - Are all religious institutions exempt (please describe)?  
No. Only non-degree programs specifically related to religious studies.
  - Are religious institutions that award only religious degrees or certificates exempt (please describe)?  
Yes, for certificates.
  - Are certain religious institutions exempt that meet other criteria (please describe)?  
Not that I am aware of.

#### 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?  
No.
- b. If not, does your agency determine whether an institution must be authorized based on a physical presence or “operating” standard?  
Yes.

#### 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.

If the school is offering programs in Ohio or conducting in-person recruiting activities in Ohio, registration would be required. Here's a link to our policy on distance education programs:

<http://scr.ohio.gov/LinkClick.aspx?fileticket=dFQvdrIzIM%3d&tabid=38&mid=484>

- 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?  
**No.**
    - 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?  
**No.**
    - 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?  
**No.**
    - What about adjunct faculty?  
**No.**
  - 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.)?  
**No.**

- 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.
  - 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?  
No.
  - Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?  
No.
  - Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?  
No.
  - Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?  
No.
  - Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?  
No.
  - 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?  
No.

## 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.

Submit a New School Application Request letter and do not submit fees. "All fees will be invoiced to your school after the request is received and the necessary fees are determined. All fees submitted to the Board are non-refundable. All necessary paperwork must be submitted in order for the review process to begin. Upon receipt and review of the new school packet, you will be notified of our findings."

Detailed forms and instructions are available online at:

<http://scr.ohio.gov/SchoolForms/Forms/NewSchoolProceduresandForms.aspx>

- 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.

30-60 days.

- c. What is the authorization duration?

One year for new schools, two years thereafter.

- d. What does an institution need to do to maintain authorization?

School must complete licensure renewal process.

- 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?

Schools must complete an online annual report disclosing graduation and placement data as well as other general information about the school. Schools must also report additional information during the licensure renewal process. The information is generally considered a public record.

- f. Can an institution lose its authorized status? If so, how?

Yes, for committing violations listed in Ohio Revised Code section 3332.09 or other violations of the Board's laws and rules.

- 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. Schools are approved individually.

- h. Would multi-institution public systems be treated the same as multi-location for-profit institutions?

Not applicable. The Board does not approve public institutions.

- 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)?  
**No answer provided.**
  
- j. Is your agency currently planning to amend its application process by the end of 2011?  
**Yes.**
  - o If yes, please provide a brief description of the anticipated change.  
**We will be updating some of our forms.**
  
  - o If yes, when does the agency expect the change to be fully implemented?  
**December 2011.**

## **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.  
**There are fees for operating in Ohio, but not an “application fee.”**  
  
**School Fees for operating range from \$150-800 and are based on Gross Tuition Income. There are also fees charged for individual programs. View the fees and instructions here:**  
**<http://scr.ohio.gov/LinkClick.aspx?fileticket=jgs1%2bIvbHN4%3d&tabid=73>.**
  
- 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.)?  
**All schools must obtain a surety bond in accordance with Ohio Revised Code section 3332.13. There are also annual fees assessed for the Ohio Student Tuition Recovery Fund.**
  
- c. What are the costs, if any, to renew authorization?  
**Fees are listed on the fee schedule but are similar to the initial licensure fees.**
  
- d. What costs are associated with receiving a waiver or exemption to authorization?  
**No fees if exempt.**

## 8. Interstate Reciprocity

- a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.  
**No.**
- b. What is the process, if any, to obtain a reciprocal agreement with your state?  
**We don't have any.**
- 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://scr.ohio.gov/ConsumerInformation/FilingaComplaint.aspx>
  - 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. They could file a complaint with the Ohio Attorney General.**
  - If available, please provide a web link to the complaint form.  
<http://scr.ohio.gov/ConsumerInformation/FilingaComplaint.aspx>
  - Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available.  
**Kimberly Stein, Investigator**  
**SBCCS**  
**35 East Gay, Suite 403**  
**Columbus, OH 43215**  
**614-466-2752**  
[Kimberly.stein@scr.state.oh.us](mailto:Kimberly.stein@scr.state.oh.us)

- b. If your agency has no formal process for handling complaints related to postsecondary institutions, what state agency would handle a complaint?  
**Not applicable.**

## 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?  
**Generally a warning with a request that the school begin the approval process ASAP.**
- 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.  
**There is no formal appeal but they can contact our office for further discussion.**

## 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?  
**We have just completed a rule change/review process involving approximately 17 administrative rules, however, it is not related to state authorization or physical presence issues.**
  - 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?**

The Board is moving its offices on or about October 1, 2011. The new mailing address:

Ohio State Board of Career Colleges and Schools  
30 East Broad St., 24<sup>th</sup> Floor  
Columbus, Ohio 43215