

SHEEO State Authorization Inventory

Virginia

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: **State Council of Higher Education for Virginia (agency name)**
- Private and Out-of-State Postsecondary Education (unit name)**

o Description:

The State Council of Higher Education for Virginia (SCHEV) is the Commonwealth's coordinating body for higher education. Our mission is *"to promote the development of an educationally and economically sound, vigorous, progressive, and coordinated system of higher education"* in Virginia. Part of our work includes coordinating the review and approval of new programs at public colleges and universities, certifying private and out-of-state institutions and postsecondary schools operating in Virginia as well as investigating inquires from students regarding certified institutions.

The Private and Out-of-State Postsecondary Education is the unit/division within SCHEV that serves as the licensing and approval agency for private degree and non degree-granting institutions, proprietary institutions, and all out-of-state institutions which operate in Virginia.

o Contact Information:

Linda H. Woodley
Director, Private & Out-of-State Postsecondary Education
State Council of Higher Education for Virginia
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Richmond, VA 23219
804-371-2938
lindawoodley@schev.edu

- 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://www.schev.edu/>

Link to Regulations: <http://www.schev.edu/highered/pope/NewSchool.asp>

- c. The following agencies also have responsibility for authorization in the state. The Virginia Board of Nursing authorizes all nurse licensure programs that do not lead to degree. The Virginia Department of Professional and Occupational Regulations authorizes most programs that lead to licensure, including those programs under the Virginia Board of Barbering & Cosmetology
- 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.

- 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
Virginia does not have a public, in-state, non-degree granting institution.
- 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
- No Tribally-controlled institutions

Clarifying comments:

The POPE regulations do not provide for oversight of the public, in-state institutions. However, they have to seek program approval from SCHEV. That function is handled in the Academic Affairs unit of SCHEV, not POPE. There are no tribally-controlled institutions in Virginia, but if there were, they would be included in the POPE regulations.

Religious institutions are granted an exemption from certification as long as they do not offer secular programs or degrees.

- 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.

No.

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

- o If yes, please explain:

All out-of-state institutions (degree and non-degree granting) must be accredited by an accrediting agency recognized by the U.S. Department of Education at the time of its application for certification to be eligible to operate in Virginia. In-state, degree-granting institutions must obtain candidacy status towards accreditation within 3 years of initial certification and must be fully accredited within 6 years to retail eligibility for certification.

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

Regional

National

Programmatic/specialized

Clarifying comments:

The accrediting agency must be recognized by the U.S. Department of Education.

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

The institution as a whole.

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

Nursing

Virginia Board of Nursing

All non-degree nursing programs that lead to licensure

Dr. Paula Saxby, Deputy Executive Director

804-367-4597

Other

Virginia Board of Cosmetology & Barbering

All non-degree cosmetology, barbering, waxing, tattooing, braiding, esthetics, and similar programs that lead to licensure.

3. Exemptions

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

§ 23-276.2. Exemptions.

A. The provisions of this chapter shall not apply to the public state-supported institutions named in § 23-9.5 or any public institution of higher education established in statute as an authority and declared a governmental instrumentality pursuant to § 23-14.

B. In addition, the following activities or programs offered by schools that are otherwise subject to this chapter shall be exempt from its provisions:

1. The awarding of an honorary degree conferred and regarded as (i) commemorative in recognition of an individual's contributions to society and (ii) not representative of the satisfactory completion of all or any part of the requirements of a program or course of study; such degree shall clearly state on its face that it is honorary in nature;
2. A nursing education program or curriculum regulated by the Board of Nursing;
3. A professional or occupational training program subject to the approval of (i) a regulatory board pursuant to Title 54.1 or (ii) other state or federal governmental agency;
4. Those courses or programs of instruction given by or approved by any professional body, fraternal organization, civic club or benevolent order that are principally for continuing or professional education or similar purpose and for which no degree credit is awarded;
5. Those courses or programs offered through approved multistate compacts, including, but not limited to, the Southern Regional Education Board's Electronic Campus;
6. Those courses offered and delivered by a postsecondary school that is accredited by an entity recognized by the U.S. Department of Education for accrediting purposes, if such courses are provided, solely on a contractual basis for which no individual is charged tuition and for which there is no advertising for open enrollment;
7. Any school, institute or course of instruction offered by any trade association or any nonprofit affiliate of a trade association on subjects related to the trade, business or profession represented by such association;

8. Any public or private high school accredited or recognized by the Board of Education that has offered or may offer one or more courses cited in this chapter, if any tuition, fees and charges made by the school are collected as may be permitted by Title 22.1, in the case of a public school, or pursuant to regulations prescribed by the relevant governing body of such private school; or

9. Tutorial instruction delivered and designed to supplement regular classes for students enrolled in any public or private school or to prepare an individual for an examination for professional practice or higher education.

C. The Council shall exempt from the provisions of this chapter any school whose primary purpose is to provide religious or theological education. Postsecondary schools shall apply for exemptions to confer diplomas, certificates, or degrees related to religion and theology. Exemptions may be granted for a maximum of five years, unless the school has been granted a standing exemption prior to July 1, 2002. Each school seeking an exemption or continuation of an exemption shall file such information as may be required by the Council. If the Council does not grant a postsecondary school an exemption, the school shall be notified in writing with the reasons for the exemption denial. The affected school shall have the right to appeal the Council's decision pursuant to Article 3 (§ 2.2-4018 et seq.) of Chapter 40 of Title 2.2. The Council shall, in each instance, determine the applicability of the exemption as provided in this section.

D. Notwithstanding the exemptions provided in this section, exempted schools shall be subject to the provisions of subsection B of § 23-276.6 and a postsecondary school may seek Council approval for an otherwise exempt activity or program.

§23-276.4 (C) of the Code of Virginia

C. Institutions of higher education shall not be required to obtain another certification from the Council to operate in Virginia if they (i) were formed, chartered or established in the Commonwealth, or chartered by an Act of Congress; (ii) have maintained a main or branch campus continuously in the Commonwealth for at least 10 calendar years under their current ownership; (iii) were continuously approved or authorized to confer or grant academic or professional degrees by the Council, by the Board of Education or by an act of the General Assembly during those 10 years; and (iv) are fully accredited by an accrediting agency that is recognized by, and has met the criteria for Title IV eligibility of the United States Department of Education. If authorization to confer or grant academic or professional degrees is revoked, the institution must seek recertification and must do so annually until it meets the criteria of this subsection.

- 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 an application for the religious exemption. There is no application of the other types of exemptions. Religious exempt schools must renew their exemption every 5 years.

- 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.)?

Not that I am aware of, other than nursing and cosmetology.

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

Yes.

- Are all religious institutions exempt (please describe)?

8 VAC 40-31-50. Religious institutions.

A. The council shall exempt from the provisions of Chapter 21.1 (§ 23-276.1 et seq.) of Title 23 of the Code of Virginia any school whose primary purpose is to provide religious training or theological education, provided that the school:

1. Awards only degrees, diplomas, or certificates that (i) carry titles that indicate the school's primary purpose plainly upon their face and (ii) state that the school is excluded from the requirement of state certification; and
2. States plainly in its catalogs and other publications that (i) the school's primary purpose is to provide religious training or theological education; (ii) the school's degrees, diplomas, or certificates are so titled and worded; and (iii) the school is exempt from the requirement of state certification.

B. The title of each degree, diploma, or certificate awarded by a school that claims an exemption under the provisions of this section must reflect that the school's primary purpose is religious education.

1. The titles of religious degrees that may be awarded include, but are not limited to, (i) Bachelor of Education in a specific religion, (ii) Master of Divinity, and (iii) Doctor of Sacred Theology.
2. The titles of secular degrees that may not be awarded in any discipline, including religion, religious education, and biblical studies, include, but are not limited to, (i) Associate of Arts, (ii) Associate of Science, (iii) Associate of Applied Science, (iv) Associate of Occupational Science, (v) Bachelor of Arts, (vi) Bachelor of Science,

(vii) Master of Arts, (viii) Master of Science, (ix) Doctor of Philosophy, and (x) Doctor of Education.

C. Exemptions granted after July 1, 2002, will be for a maximum of five years. A school wishing to maintain an exempt status must reapply to council at least six months prior to the expiration of the exemption period. An exempt school shall not make claims of "approval," "endorsement," or other such terms by the council in any of its promotional materials. An exempt school shall clearly state in its catalogs and promotional materials that it is exempt from the requirements of state regulation and oversight.

D. A school that awards secular degrees in addition to religious degrees, certificates or diplomas, as defined in subsections A and B of this section, must comply with the provisions for certification for all nonreligious degree programs.

E. Each school requesting full or partial exemption must apply on forms provided by and in a manner prescribed by the council.

F. The council, on its own motion, may initiate formal or informal inquiries to confirm that this chapter is not applicable to a religious school if the council has reason to believe that the school may be in violation of the provisions of this section.

1. Any school that claims an exemption under subsections A and B of this section on the basis that its primary purpose is to provide religious training or theological education shall be entitled to a rebuttable presumption of the truth of that claim.

2. It shall be the council's responsibility to show that a school is not exempt under subsections A and B of this section.

3. The council assumes no jurisdiction or right to regulate religious beliefs under this chapter.

G. A school whose claim for exemption under subsections A and B of this section is denied by the council shall have the opportunity to appeal the council's action in accordance with 8 VAC 40-31-70.

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

Yes, those are the schools that the exemption speaks to.

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

Don't understand the question. All religious institutions are exempt as long as they do not offer secular programs. Religions institutions offering secular programs must certify as any other postsecondary institutions.

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

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.
Pursuant to 8 VAC 40-31-120 (B) of the Virginia Administrative Code, a postsecondary school must become certified to operate in Virginia by the State Council of Higher Education for Virginia (SCHEV) prior to engaging in postsecondary educational activities via telecommunications, mail correspondence courses, or at a site within the Commonwealth. The certification of telecommunication activities or mail correspondence courses is based on physical presence within the Commonwealth.

If an out-of-state institution does not plan to operate a facility in Virginia and/or the mechanism by which instruction is initiated (server) is not located within Virginia, the school does not meet Virginia’s criterion of physical presence. Any school not meeting this criterion is ineligible for certification to operate in Virginia.

- 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?
Not Physical presence.
 - 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?
Not Physical presence.
 - 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?
Not Physical presence.
 - 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?
Not Physical presence.
 - 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.)?
Not Physical presence.
- Organized, consistent, on-the-ground recruiting of students in the state by employees or agents of the institution?
Agent would be required to obtain agent permit, but school would not need to certify.
 - What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs)?
Same as above.
- Advertising in local media sources that are largely viewed by residents of the state?
Not Physical Presence.
- Advertising in national media sources that can be accessed by residents of the state?
Not physical presence.
- Having computer servers or other equipment located in the state?
If the server located in Virginia is the server by which instruction is initiated, this would be considered physical presence and the school would need to become certified to operate in Virginia.

- Hosting short term, face-to-face, seminars or conferences in the state where students meet in person?
Not Physical presence.
 - Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis?
Not Physical presence.
 - Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution?
Not physical presence.
 - Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution?
Not physical presence.
 - 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.

Any school interested in seeking certification to operate in Virginia must attend a new school orientation prior to submitting an application for certification. School must prepare an application package, which includes a detailed school plan, surety instrument, financial projection analysis, administration and faculty qualification form School must successfully complete a site visit also. Final approval is made by Council resolution.

Application process available from following link:
<http://www.schev.edu/highered/pope/NewSchool.asp>.

Description of Application Process:
<http://www.schev.edu/highered/pope/NewSchool.asp>.

- 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.
2 – 4 months.
- c. What is the authorization duration?
Schools initial authorization is for one year. School must recertify annually.
- d. What does an institution need to do to maintain authorization?
Recertify annually and remain in compliance with regulations.
- 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 recertify annually and must provide information related to programs, enrollment, graduation, placement and most recently completed financial statement. All information is subject to Virginia Freedom of Information Act (FOIA).
- f. Can an institution lose its authorized status? If so, how?
If the school fails to recertify or is found to be out of compliance with regulations.
- 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, we would treat each school independently as we do multi-locations of for-profit institutions, i.e. Strayer University has over 15 locations in Virginia. Each branch is certified independently.
- 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)?
SCHEV will not entertain an application for certification from an institution that has not had a representative attend a new school orientation session. Also, a site visit must be completed before Council staff will submit the application for Council approval.
- j. Is your agency currently planning to amend its application process by the end of 2011?
No, nothing is planned at this time.

- If yes, please provide a brief description of the anticipated change.
- 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, \$6,000; Non-degree granting, \$2,500.

- 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.)?

Initial fee for all new institutions of higher education =	\$6,000
Initial fee for all new career-technical schools =	\$2,500
Annual fee for all unaccredited institutions of higher education =	\$6,000
Annual fee for all unaccredited out-of-state career-technical schools	\$2,500
Renewal fee for all postsecondary schools with gross tuition collected greater than \$150,000, as recorded on most recent financial statement =	\$2,500
Renewal fee for all postsecondary schools with gross tuition collected greater than \$100,000 but less than or equal to \$150,000, as recorded on most recent financial statement =	\$1,500
Renewal fee for all postsecondary schools with gross tuition collected greater than \$50,000 but less than or equal to \$100,000, as recorded on most recent financial statement =	\$1,000
Renewal fee for all postsecondary schools with gross tuition collected less than or equal to \$50,000, as recorded	\$500

on most recent financial statement =	
Late fee =	\$100/day for first 10 business days after expiration of annual certification (Maximum fee = \$1,000) (11th day institution notified to cease and desist and matter referred for prosecution)
Returned check fee =	\$35
Noncompliance administrative fees =	\$1,000 for each occurrence of noncompliance found as a result of audit
Initial or renewed exemption application/request for name acknowledgement/agent registration =	\$300
Nonrefundable handling charge (withdrawal of application) =	\$300

We have proposed new regulations to add fees for adding/deleting programs; adding/deleting operational branches. Awaiting governor approval/signature.

Also, new non-degree schools seeking initial certification must obtain a \$5,000 surety and new degree-granting schools seeking initial certification must obtain a \$10,000 surety. School can obtain a bond or irrevocable letter of credit.

- c. What are the costs, if any, to renew authorization?
Schools must recertify annually, annual recertification fee based on gross tuition and ranges from \$500 to \$2,500 per branch operating in Virginia.
- d. What costs are associated with receiving a waiver or exemption to authorization?
\$300 for religious exemption and for agent permits. No other fees required for exemptions.

8. Interstate Reciprocity

Currently Virginia regulations are silent on interstate reciprocity. There is currently no specific plans to pursue such agreements.

- a. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe.
- 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.

- 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?
- If yes, please describe the process or provide a web link to the material that describes the complaint process.
Description...
Student must complete and return the student complaint form after exhausting the school's grievance procedure. Complaint must be signed. SCHEV will not respond to anonymous complaints.

<http://www.schev.edu/forms/StudentComplaintInformation.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)?
Exempt institutions – yes; distance education schools with no physical presence in Virginia – no.
 - If available, please provide a web link to the complaint form.
The form is being revised and will be accessible from the SCHEV website when available.
 - Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available.
Sylvia Rosa-Casanova, Compliance Manager
101 N. 14th Street, 9th Floor/James Monroe Building
Richmond, VA 23219
804-225-3399
sylviarosacasanova@schev.edu

Josephine Wright, Compliance Investigator
101 N. 14th Street, 9th Floor/James Monroe Building
Richmond, VA 23219
804-225-2753
josephinewright@schev.edu

- 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?
We issue a cease & desist order, and contact the Commissioner of the Revenue in the municipality to request that the business license be revoked.
- 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.

PART VII.

PROCEDURES FOR CONDUCTING FACT-FINDING CONFERENCES AND HEARINGS.

8 VAC 40-31-220. Procedural rules for the conduct of fact-finding conferences and hearings (§§ 2.2-4019 through 2.2-4030 of the Code of Virginia).

A. Fact-finding conference; notification, appearance, conduct.

1. Unless emergency circumstances exist that require immediate action, no certification application shall be denied, suspended or revoked except upon notice stating the proposed basis for such action and the time and place for a fact-finding conference.
2. If a basis exists for a refusal to certify or a suspension or a revocation of a certificate to operate, the council shall notify, by certified mail or by hand delivery, the interested parties at the address of record maintained by the council.
3. Notification shall include the basis for the proposed action and afford interested parties the opportunity to present written and oral information to the council that may have a bearing on the proposed action at a fact-finding conference. If no withdrawal occurs, a fact-finding conference shall be scheduled at the earliest mutually agreeable date, but no later than 60 days from the date of the notification. A school wishing to waive its right to a conference shall notify the council at least 14 days before the scheduled conference.
4. If after consideration of information presented during an informal fact-finding conference, a basis for action still exists, the interested parties shall be notified in writing within 60 days of the fact-finding conference, via certified or hand-delivered mail, of the decision and the right to a formal hearing. Parties to the conference may agree to extend the report deadline if more time is needed to consider relevant information.

B. Hearing; notification, appearance, conduct.

1. If, after a fact-finding conference, a sufficient basis still exists to deny, suspend or revoke a certification, interested parties shall be notified by certified mail or hand delivery of the proposed action and of the opportunity for a hearing on the proposed action. If an organization desires to request a hearing, it shall notify the council within 14 days of receipt of a report on the conference. Parties may enter into a consent agreement to settle the issues at any time prior to, or subsequent to, an informal fact-finding conference.

2. If an interested party or representative fails to appear at a hearing, the hearing officer may proceed in the party's/representative's absence and make a recommendation.

3. Oral and written arguments may be submitted to and limited by the hearing officer. Oral arguments shall be recorded in an appropriate manner.

C. Hearing location. Hearings before a hearing officer shall be held, insofar as practical, in the county or city in which the school is located. Hearing officers may conduct hearings at locations convenient to the greatest number of persons or by telephone conference, videoconference or similar technology in order to expedite the hearing process.

D. Hearing decisions.

1. Recommendations of the hearing officer shall be a part of the record and shall include a written statement of the hearing officer's findings of fact and recommendations as well as the reasons or basis for the recommendations. Recommendations shall be based upon all the material issues of fact, law or discretion presented on the record.

2. The council shall review the recommendation of the hearing officer and render a decision on the recommendation within 30 days of receipt. The decision shall cite the appropriate rule, relief or denial thereof as to each issue.

E. Agency representation. The executive director's designee may represent the council in an informal conference or at a 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?

SCHEV is amending its regulations, but the amendments will not impact the physical presence policy.

- 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, Council staff submitted a resolution to Council that would authorize the exempt institutions by name in accordance to the new federal regulations. No further action is anticipated.

- 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?