

TITLE 610. STATE REGENTS FOR HIGHER EDUCATION
CHAPTER 10. ACADEMIC AFFAIRS
SUBCHAPTER 1. PRIVATE AND OUT-OF-STATE PUBLIC INSTITUTIONS

610:10-1-1. Purpose

The purpose of this policy is to protect Oklahoma citizens by ensuring that all (nonexempt) private and out-of-state public degree-granting institutions of higher education that operate in this state by any modality meet statutory and policy requirements regarding academic quality and fiscal responsibility.

610:10-1-2. Definitions

The following words and terms, when used in this Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Degree-granting institution" means an institution that offers education leading to an associate's degree or higher.

"Institution" means a private institution or out-of-state public institution.

"Non-degree granting activity" means offering post-secondary education or training that does not lead to an associate's degree or higher.

"Private institution" means a nonexempt educational institution which is controlled by a private individual(s) or by a nongovernmental agency, usually supported primarily by other than public funds, and operated by other than publicly elected or appointed officials. These institutions may be either for-profit or non-profit.

"OSRHE" means the Oklahoma State Regents for Higher Education.

"Out-of-state public institution" means any nonexempt public institution that is established, operated, and governed by another state or any of its political subdivisions.

"State authorization reciprocity agreement" means an agreement among states, districts, and territories that establishes comparable standards for providing distance education from their degree-granting postsecondary educational institutions to out-of-state students.

610:10-1-3. Authorization according to OSRHE policies and procedures

All private and out-of-state public degree-granting institutions that operate in this state shall be authorized according to the policies and procedures established by OSRHE. *These policies and procedures shall be limited to the minimum necessary to ensure that private and out-of-state degree-granting institutions that operate in this state by any modality meet the same standards of academic quality and fiscal responsibility required for institutions of higher education within The Oklahoma State System of Higher Education.* [70 O.S. §4103(B)] OSRHE's policy on private institutions and out-of-state public institutions can be found in the Policy and Procedures Manual, Chapter 3: Academic Affairs located on OSRHE's website.

610:10-1-4. Fees for application and authorization

(a) Unauthorized nonexempt private and out-of-state institutions shall pay an application and an initial authorization fee to be authorized to operate as a degree-granting institution in Oklahoma, as follows:

(1) Application fee: \$500

(2) Initial Authorization fee: \$2,500

(b) Authorized institutions shall pay annually an application and a re-authorization fee to be re-authorized to operate as a degree-granting institution in Oklahoma as follows:

(1) Application Fee: \$500

(2) Annual Re-authorization fee: \$2,000

(c) Out-of-state institutions shall pay additional location fees to establish and operate one or more locations in Oklahoma for students to receive synchronous or asynchronous instruction. The fee shall be \$1,000 per location for both initial and annual re-authorization of the location.

(d) Institutions applying for provisional re-authorization shall be assessed a non-refundable provisional application fee and provisional authorization fee in addition to the standard application fee and authorization fee. The provisional application fee shall be \$250 and the provisional authorization fee shall be \$1,000. Applications will not be reviewed until all required application fees have been received.

(e) The collection and processing of fees shall be according to policies and procedures set by OSRHE.

610:10-1-5. Tuition Recovery Revolving Fund

(a) Each private institution authorized by OSRHE to operate as a degree-granting institution in Oklahoma shall pay to OSRHE a sum annually to be maintained in the Tuition Recovery Revolving Fund. This payment is in addition to the application and authorization fees established in 610:10-1-4. The payment for initial authorization shall be \$2,500.

(b) Each private institution authorized by OSRHE shall make payments to the Tuition Recovery Revolving Fund for annual re-authorization as follows:

(1) Each private institution shall pay 0.25 percent (.0025) of its annual gross tuition revenue received from students living in Oklahoma at the time of their enrollment.

(2) A minimum payment of \$250 shall be due annually regardless of the private institution's enrollment or tuition revenue during the applicable year.

(3) Private institutions whose payment is not received by the due date will be subject to non-approval of authorization, provisional authorization or revocation of authorization according to the policies and procedures set by OSRHE.

(4) The Student Tuition Recovery Fund will be maintained between a minimum and maximum funding level to be determined by OSRHE.

(5) Institutions will be assessed annually until the maximum funding level is reached. If the Fund amount is reduced below the minimum funding level, assessments will begin again until the maximum level is regained. If the monies in the fund are insufficient to satisfy all duly authorized claims, OSRHE may reassess authorized institutions as necessary, in addition to the annual assessment, and the authorized institutions shall pay the additional amounts assessed.

(c) The assessment, administration, and disbursement of funds from the Tuition Recovery Revolving Fund shall occur according to policies and procedures set by OSRHE.

610:10-1-6. Non-approval or revocation of authorization

(a) Upon non-approval or revocation of authorization for an institution or an institution's location, the institution will be notified in writing; the notification will include the reasons for the revocation or non-approval.

(b) Institutions that wish to appeal the revocation or non-approval must submit to the OSRHE office, within 20 calendar days of receipt of notification, written documentation detailing why they believe the revocation or non-renewal is not warranted by state statute or OSRHE policy. Upon receipt of the documentation, OSRHE staff will review it to determine whether the additional information demonstrates compliance with state statute and OSRHE policy. If it is determined that the response satisfactorily indicates full compliance, the application will be submitted to OSRHE at their next regularly scheduled meeting.

(c) The schedule for the appeal process and how it affects the institution's implementation of closure will be determined and communicated to the institution on receipt and analysis of the appeal. During the period of time from receipt of the appeal documentation to final determination of compliance, the institution will retain whatever authorization status it held prior to the non-approval or revocation.

(d) If it is determined that the appeal documentation does not demonstrate compliance with state statute and OSRHE policy, the institution will be notified of the determination in writing, including the reasons why, and the institution will begin or resume closure procedures according to the policies and procedures set by OSRHE.

(e) Determination that the appeal documentation does not demonstrate compliance with state statute and OSRHE policy is final and no further appeal will be accepted.

(f) Institutions whose authorization has been revoked or not approved may be considered again for authorization after reestablishing compliance with state statute and OSRHE policy.