Indiana Commission for Higher Education

Vertical Tabs

1. Agency and Contact Information

1A1. Agency Name:
Indiana Commission for Higher Education (CHE)

1A2. Agency Description - Please review the description below and revise as appropriate (e.g., state executive agency, agency with appointed board, department or division within agency, etc.):

The Indiana Commission for Higher Education (CHE) is a state agency with an appointed board. CHE directly authorizes some degree-granting institutions and programs, while others are authorized through the Indiana Board for Proprietary Education (BPE), which CHE administers and staffs.

1A3. Agency Contact - Please review and correct as necessary the contact information below:

Ken Sauer, Ph.D.
Senior Associate Commissioner for Research and Academic Affairs,
Indiana Commission for Higher Education/
Executive Director,
Indiana Board for Proprietary Education
101 W. Ohio Street, Suite 550
Indianapolis, Indiana 46204-1984
Phone: (317) 464-4400 ext. 121
Fax: (317) 464-4410
E-mail: ksauer@che.in.gov

Ross Miller
Director of Accreditation and Regulatory Compliance
Indiana Board for Proprietary Education/
Indiana Commission for Higher Education
101 W. Ohio Street, Suite 670
Indianapolis, IN 46204-1984
Phone: (317) 464-4400 Ext. 138
1A4. Who should institutions contact if they have questions about your agency’s authority, policies, or application process:

Ken Sauer, Ph.D.
Senior Associate Commissioner for Research and Academic Affairs,
Indiana Commission for Higher Education/
Executive Director,
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Phone: (317) 464-4400 Ext. 138
Fax: (317) 233-4219
Email: rmiller@bpe.che.in.gov

1B. Links - Please provide web links to your agency home page, the regulations pertaining to authorization, and any other links important for understanding your agency’s responsibility for authorization:

BPE - For Private for-profit institutions
CHE - For Public and Private Out-State Not-for-Profits

1C1. Other Agencies - According to our records, the following agencies also have responsibility for authorization in the state. Please correct, add to, or clarify this list of authorizing authorities as necessary. These agencies will also be requested to complete this survey:

Indiana Department of Workforce Development, Office for Career and Technical Schools

1C2. If the division of responsibility among these agencies is not clear, please explain:

The Office for Career and Technical Schools within the Department of Workforce Development has responsibility to authorize Indiana non-degree granting institutions and out-of-state non-degree granting institutions that offer instruction in Indiana, either on-site or through distance education.

2. Types of Educational Providers Authorized

2A1. Institution Types Authorized - Indicate the types of institutions that your agency authorizes. Feel free to provide a short explanation of any ambiguity:

Public, in-state degree granting institutions
Public, out-of-state degree granting institutions
Private, out-of-state, not-for-profit degree granting institutions
Private, in-state, for-profit degree granting institutions
Private, out-of-state, for-profit degree granting institutions
Religious Institutions

**2A2. Clarifying comments:**

The CHE authorizes public and private out-of-state institutions. The BPE authorizes for-profit institutions.

* By statute, regionally accredited, private, in-state, not-for-profit degree-granting institutions are authorized directly by the General Assembly as “approved postsecondary educational institutions” (IC 21-7-13-6), which need no further authorization to operate in the state. Private, in-state, not for profit degree-granting institutions that are not regionally accredited must be authorized by BPE.

** A religious institution that offers educational instruction or an educational program of a clearly religious nature is exempt from authorization. A religious institution that offers educational instruction or an educational program of a clearly secular nature is not exempt from state authorization.

**2B1. Multiple Agencies - Is an institution required to obtain approval from more than one agency to be authorized in your state (excluding purely programmatic approvals):**

No

**2C1. Accreditation - Is accreditation required for an institution to be authorized in your state:**

Yes

**2C2. If yes, please explain:**

A person may not do business as a degree-granting institution in the State of Indiana unless (a) the institution is accredited by an accrediting agency recognized by the United States Department of Education or is seeking and progressing toward accreditation by an accrediting agency recognized by the United States Department of Education or (b) the institution is a religious institution that offers educational instruction or an educational program of a clearly religious nature.

(IC 21-18.5-6-2.5)

**2C3. If yes, what type of accreditation is required? Please check all that apply:**

Regional
National
Programmatic/specialized, if applicable

**2C4. Clarifying comments:**

Institutions that exclusively offer degree programs in one specialized field would need programmatic/specialized accreditation.

**2D1. Does your agency authorize specific academic programs offered by institutions, only institutions themselves, or both:**

Both Institutions and Programs

**2E1a. Education:**

Yes

**2E1b. Name and Contact information, Education:**

2E2a. Nursing:
Yes

2E2b. Name and Contact Information:

Indiana Professional Licensing Agency/Indiana State Board of Nursing: 317.234.2043, [http://www.in.gov/pla/nursing.htm](http://www.in.gov/pla/nursing.htm) [6]

2E3a. Social Work:
Yes

2E3b. Name and Contact Information:


2E4a. Counseling Psychology:
Yes

2E4b. Name and Contact Information:


2E5a. Allied Health Professions and Related Programs:
Yes

2E5b. Name and Contact Information:

Indiana Professional Licensing Agency: 317.234.2043, [http://www.in.gov/pla](http://www.in.gov/pla) [9]
Indiana Department of Health/Division of Long Term Care: 317.233.7442, [http://www.in.gov/isdh/23260.htm](http://www.in.gov/isdh/23260.htm) [10]

2E6a. Others (please list):
Yes

2E6b. Name and Contact Information:

Health Related
• Acupuncture
• Addiction Counselors
• Athletic Trainers
• Behavioral Health and Human Services
• Chiropractors
• Dentistry
• Dietitians
• Environmental Health Specialists
• Genetic Counselors
• Health Facility Administrators
• Hearing Aid Dealers
• Hypnotists
• Marriage and Family Therapists
• Medical (Physicians & Osteopathic Physicians)
• Mental Health Counselors
• Nursing
• Optometry
• Pharmacy
• Physical Therapy
• Physician Assistant
• Podiatric Medicine
• Psychology
• Respiratory Care
• Social Workers
• Speech Language Pathology and Audiology
• Veterinary Medicine

Professional Related
• Accountancy
• Architects & Landscape Architects
• Auctioneers
• Barbers
• Cosmetology & Barber
• Engineering
• Funeral & Cemetery
• Home Inspectors
• Interior Design Registry
• Land Surveyors
• Manufactured Home Installers
• Massage Therapy
• Plumbing
• Private Investigator & Security Guard
• Real Estate Appraisers
• Real Estate

3. Exemptions

3A1. General Exemptions - Are certain institutions or programs exempt by law or policy from your state authorization requirements:
Yes

3A2. If yes, to which institutions or programs does the exemption apply? How does it work (please describe)? If available, please provide any pertinent web links:

By statute, regionally accredited, private, in-state, not-for-profit degree-granting institutions are authorized directly by the General Assembly as “approved postsecondary educational institutions” (IC 21-7-13-6), which need no further authorization to operate in the state.
IC 21-7-13-6 may be accessed at:
3A3. 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.:

See previous answer

3B. Other Requirements - 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 other education requirements are needed for an institution to operate in the state; however other requirements would need to be met if the institution were to participate in state financial aid programs.

3C1. Religious Institutions - Does your state constitution or do your state laws provide any exemptions for religious institutions:

Yes

3C2. If yes, are all religious institutions exempt (please describe):

The Indiana Code provides an exemption for an institution that offers instruction of a clearly religious nature or educational programs of a clearly religious nature that are offered by an institution.

3C3. If yes, are religious institutions that award only religious degrees or certificates exempt (please describe):

Yes

3C4. If yes, are certain religious institutions exempt that meet other criteria (please describe):

N/A

4. Authorization of Distance Education

4A1. 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

5. Physical Presence Policy – Common “Triggers”

5A. 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:

On-going occupation of physical location for instructional purposes
Maintenance of an administrative office to facilitate instruction

INSTRUCTIONAL ACTIVITIES

5B1a. Hosting short term, face-to-face, seminars or conferences in the state where students meet in person:
Yes

5B1b. Clarifying Comments:

if 25% or more of class requirements involve instructor and students meeting in a physical location.

5B2a. Permitting a student to complete an internship, externship, field experience, or clinical practicum organized by the institution:
No

5B2b. Clarifying Comments:

Physical presence in the State of Indiana does not include internships, externships, field experiences, or clinical practicums.

5B2c. Does this apply only to distance education students or more generally:
More Generally

5B3a. Permitting a student to complete an internship, externship, field experience, or clinical practicum found by the student acting independently:
No

5B3c. Does this apply only to distance education students or more generally:
More Generally

PROPERTY IN THE STATE

5B4a. Maintaining a location (physical building) in the state that is used for instructional activity:
Yes

5B5a. Maintaining a location (physical building) in the state that is used ONLY for non-instructional activity (administration, recruitment, etc.):
No

5B6a. Housing ONLY computer servers or other equipment at a physical location in the state:
No

5B7a. Maintaining an in-state address or phone number, regardless of use:
No

RECRUITING ACTIVITIES

5B8a. Organized, consistent, on - the - ground recruiting of students in the state by employees or agents of the institution:
No

5B8c. What if the agent is only recruiting students in the state on an occasional basis (i.e. at job fairs):
No

THIRD PARTY AGREEMENTS/CONTRACTS

5B9a. 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

5B10a. Requiring a student to take a proctored exam at a location or with an entity in the state prescribed by the institution:
No

5B11a. Requiring a student to take a proctored exam with an entity in the state chosen by the student but approved by the institution:
No
ADVERTISING
5B12a. Advertising in local media sources that are largely viewed by residents of the state:
No
5B13a. Advertising in national media sources that can be accessed by residents of the state:
No
EMPLOYMENT IN THE STATE
5B14a. Employing full-time faculty in the state to provide instruction via distance education programs to students in the state:
No
5B14c. What about adjunct faculty:
No
5B15a. Employing full-time faculty in the state to provide instruction via distance education programs solely to students outside of the state:
No
5B15c. What about adjunct faculty:
No
5B16a. Employing mentors, tutors, or preceptors in the state to aid students, who are residents of the state, on an individual basis:
No
OTHER

6. Application Process

6A. Description - 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:

By statute, regionally accredited, private, in-state, not-for-profit degree-granting institutions are authorized directly by the General Assembly as “approved postsecondary educational institutions” (IC 21-7-13-6), which need no further authorization to operate in the state.

Private, in-state and out-of-state, for-profit (authorized through BPE):
Institutions seeking the authority to do business in the State of Indiana would complete the Application for Authorization. Institutions seeking the authority for on-site instruction in the State of Indiana would include the following attachments to the Application for Authorization: catalog, regional or national accreditation letter, enrollment agreement, and municipal fire inspection report. If applicable: incorporation papers, or certificate of authority. The Application for Authorization may be accessed at: http://www.in.gov/bpe/2457.htm

Public and not-for-profit out-of-state (authorized through CHE):
(Procedures are under development)

6B. Processing Time - 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:
Private, in-state and out-of-state, for-profit (authorized through BPE): The application for an approved
institutional status of the may take between one to three weeks if all forms have been completed properly. The institution would need to seek approval to offer a credit bearing degree program in a separate process from the Application for Authorized status. Public and not-for-profit out-of-state (authorized through CHE): (Procedures are under development)

**6C. Duration - What is the authorization duration:**

Private, in-state and out-of-state, for-profit (authorized through BPE):
Authorized status is granted for a period of 12 months, after which an institution must seek renewal of authorization.

Public and not-for-profit out-of-state (authorized through CHE):
(Procedures are under development)

**6D. Maintenance - What does an institution need to do to maintain authorization:**

Private, in-state and out-of-state, for-profit (authorized through BPE):
Renewal of authorization is required annually. The renewal of authorization is found on the BPE website and may be accessed at: [http://www.in.gov/bpe/2452.htm](http://www.in.gov/bpe/2452.htm)

Public and not-for-profit out-of-state (authorized through CHE):
(Procedures are under development)

**6E. Reporting - 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:**

Private, in-state and out-of-state, for-profit (authorized through BPE):
Institutions must report annually the currently enrolled students, list of students who graduated, and a list of students who have been dropped from the program in which they were enrolled.

Public and not-for-profit out-of-state (authorized through CHE):
(Procedures are under development)

**6F. Loss of Status - Can an institution lose its authorized status? If so, how?**

Private, in-state and out-of-state, for-profit (authorized through BPE):
Authorization may be revoked by the board for proprietary education:
a. For cause upon notice and an opportunity for a hearing before the board for proprietary education; and
b. For failing to make the quarterly contributions to the Career College Student Assurance Fund.

Public and not-for-profit out-of-state (authorized through CHE):
(Procedures are under development)

**6Ga. Multi-Institutional Systems - 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:**

A corporation must apply for authorization status with a separate application for authorization for each
institution or campus.

6Gb. Would multi-institution public systems be treated the same as multi-location for-profit institutions:

Yes

6H. Distinctive Features - 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):

Private, in-state and out-of-state, for-profit (authorized through BPE):
Program proposals for degree approval are considered during quarterly meetings of the Board for Proprietary Education. Meeting dates are posted to the BPE website and may be accessed at: http://www.in.gov/bpe/2330.htm [14]

Public and not-for-profit out-of-state (authorized through CHE):
(Procedures are under development)

6I1. Amendments - Is your agency currently planning to amend its application process by the end of 2013:

Yes

6I2. If yes, please provide a brief description of the anticipated change:

Still to be determined

6I3. If yes, when does the agency expect the change to be fully implemented:

Still to be determined

7. Fees Associated with Authorization

7A. Application Fee - 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:

Initial Institutional Authorization
Private, in-state and out-of-state, for-profit (authorized through BPE):
In-state institutions [Indiana based] Application for Authorization: $1,000.00
Out-of-state institutions Application for Authorization: $2,000.00
The Initial Institutional Authorization information may be accessed at: http://www.in.gov/bpe/2457.htm [12]

Initial Program Authorization
In-state institutions [Indiana based] Application for Degree Program Authorization: $300.00
The fee schedule may be accessed at: http://www.in.gov/bpe/files/Fee_Schedule_of_Institutions_with_a_Physical... [15](1).pdf
The Application for Degree Program Authorization may be accessed at: http://www.in.gov/bpe/2451.htm [16]
7B. Other Costs - 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.):

The career college student assurance fund is established to provide indemnification to a student or an enrollee of a postsecondary proprietary institution who suffers loss or damage as a result of any of the occurrences described in IC 21-18.5-6-6
The Career College Student Assurance Fund information may be accessed at: [17]

7C. Renewal Costs - What are the costs, if any, to renew authorization:

Private, in-state and out-of-state, for-profit (authorized through BPE): $500.00
The fee schedule may be accessed at: [12]

7D. Exemption Costs - What costs are associated with receiving a waiver or exemption to authorization:

Private, in-state and out-of-state, for-profit (authorized through BPE): N/A
Public

8. Interstate Reciprocity
8A. Do your state regulations explicitly allow or prohibit interstate reciprocal agreements about authorization? If so, please describe:

No

8B. What is the process, if any, to obtain a reciprocal agreement with your state:

Yes

Legislation passed during the 2013 General Assembly explicitly granted the authority to both CHE and BPE.  
CHE see IC 21-18-12.2  
BPE see IC 21-18.5-6-12 (d)

8C. Are there any reciprocal agreements currently in place or under consideration? If so,
please list those agreements:

No

8D. If interstate reciprocal agreements are not addressed in your regulations, would your agency consider establishing such agreements? Please elaborate:

Indiana through the Midwestern Higher Education Compact (MHEC) will participate in the State Authorization Reciprocity Agreement. Interstate reciprocal agreements are addressed in the Indiana Code.

9. Consumer Protection and Student Complaints

9A1. Does your agency have a process for handling complaints about postsecondary institutions or programs:

Yes

9A2. If yes, please describe the process or provide a web link to the material that describes the complaint process:

Complaints involving institutions all institutions are being handled through the Indiana Commission for Higher Education. The complaint process may be accessed at: http://www.in.gov/che/2744.htm [18]

Listed below is a description of the complaint process:

Student Complaints

The Commission for Higher Education is responsible for responding to formal complaints against public, independent non-profit and proprietary institutions of higher education in Indiana. While the Commission has limited authority over colleges and universities, and cannot offer legal advice or initiate civil court cases, Commission staff will review submitted complaints and work with student complainants and institutions to reach a mutually satisfactory result.

If a student has a complaint related to financial aid, he/she should contact the Commission’s Division of Student Financial Aid directly through the Division’s complaint form.

If a student believes that a college or university has violated state or federal law, he/she may wish to contact the Office of the Indiana Attorney General at (317) 232-6201 or Constituent@atg.in.gov [19].

If the student believes that an institution has acted in a discriminatory manner, he/she may wish to contact the Indiana Civil Rights Commission using the ICRC’s complaint form.

Furthermore, after filing a complaint with the Attorney General’s Office, ICRC or Commission for Higher Education, the student may still hire a private attorney and adjudicate the complaint through the court system.

Please follow the steps outlined below to submit a complaint:

STEP 1:
If a student has concerns related to classroom situations or administrative actions, he/she should
contact the faculty or staff member(s) with whom he/she has a conflict. It may be possible to resolve the concerns without the need for formal institutional action. However, if the student’s complaint is not resolved satisfactorily, or if the complaint cannot be resolved by contacting the faculty or staff member(s), the student should proceed to STEP 2.

STEP 2:
The student should file a complaint through his/her institution of higher education’s established complaint process. Information on the process can usually be found in the institution’s academic catalog, student handbook or website. Additionally, a list of offices that handle complaints at each institution will soon be available on this page. If the student is unable to resolve the complaint in this manner, he/she should proceed to STEP 3.

STEP 3:
Within two years of the incident about which the student is complaining, he/she should contact the Commission for Higher Education using our complaint form. Please note that the Commission cannot, by law, review complaints related to course grades, academic sanctions or discipline/conduct matters. In other areas, such as transferring credits between public institutions, the Commission has greater statutory authority.

STEP 4:
After receiving a complaint through our online complaint form, Commission staff will review the submitted materials and contact the submitter for any required additional information or clarifications. The Commission will then send a copy of the complaint to the institution against which the complaint has been filed and ask for a response within three weeks. After receiving the college or university’s response, Commission staff will determine whether the institution’s student complaint process has been followed and exhausted and what additional steps or follow-up may be taken. The Commission will inform both parties involved in the complaint.

If you have additional questions about the complaint process, or want to clarify that your individual complaint is reviewable by the Commission, please feel free to contact the main office at (317) 464-4400 ext. 0 or complaints@che.in.gov. (20)

Complaint Form
Institutional Contacts for Complaints (coming soon)
TransferIN.net (information on transferring college credits)

9A3a. 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):
Yes
9A4. If available, please provide a web link to the complaint form:
Complaint Form (18)
9B. Who is the contact person for receiving complaints? Please include name, title, address, phone, and email if available:
Sara E. Appel, M.A.
Academic Programs Manager
Indiana Commission for Higher Education
101 West Ohio Street, Suite 550
10. Enforcement

**10A. If your agency finds that an institution or program is operating in your state without authorization, what is the resulting warning or enforcement action:**

Institutions found to be operating in the State of Indiana without authorization are contacted by staff, a determination of status is sent to the institution for completion. Once a determination has been made, the institution has up to one month to submit the Application for Authorization. Upon failure to do so the county prosecutor is contacted for legal remedy.

The prosecuting attorney of the county in which an offense under this chapter occurred shall, at the request of the board for proprietary education or on the prosecuting attorney's own motion, bring any appropriate action, including a mandatory and prohibitive injunction.

(IC 21-18.5-6-23)

A person may not do business as a postsecondary credit bearing proprietary educational institution in Indiana without having obtained accreditation under this chapter.

(IC 21-18.5-6-2) (A person includes an institution)

**10B. 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:**

IC 21-18.5-6-14

Hearing

Sec. 14. (a) A postsecondary credit bearing proprietary educational institution, after notification that the institution's accreditation has been refused, revoked, or suspended, may apply for a hearing before the board for proprietary education concerning the institution's qualifications. The application for a hearing must be filed in writing with the board for proprietary education not more than thirty (30) days after receipt of notice of the denial, revocation, or suspension.

(b) The board for proprietary education shall give a hearing promptly and with not less than ten (10) days notice of the date, time, and place. The postsecondary credit bearing proprietary educational
institution is entitled to be represented by counsel and to offer oral and documentary evidence relevant to the issue.

(c) Not more than fifteen (15) days after a hearing, the board for proprietary education shall make written findings of fact, a written decision, and a written order based solely on the evidence submitted at the hearing, either granting or denying accreditation to the postsecondary credit bearing proprietary educational institution.

As added by P.L.107-2012, SEC.58.

11. Legislative or Regulatory Changes

**11A1. Amendments -** Is your agency or state legislature currently planning to amend its regulations or alter its physical presence policy:
No

**11B1. Federal Regulations -** 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

**11C1. Other Changes -** Is your agency or state legislature making any other changes in your state regulations or statutes with regard to state authorization:
No

12. Other

**12A. Is there anything else about the authorization process in your state that we and others ought to know about:**

The 2012 and 2013 sessions of the Indiana General Assembly dramatically changed the way institutions are authorized in the State of Indiana.

The Commission for Higher Education is moving as quickly as possible to fully implement newly acquired statutory responsibilities.

**Source URL:** http://sheeo.org/sheeo_surveys/user/43

**Links**
[1] mailto:ksauer@che.in.gov
[2] mailto:rmiller@bpe.che.in.gov