

**NOVEMBER 21-22, 2013**

**ITEM 161-103-R1113**

**Academic Affairs – Authorization to Operate Postsecondary Institution in the State of Montana**

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**THAT**

The Board of Regents of Higher Education revises Board of Regents' Policy 320.1 to (1) recognize the religious institution exemption for purposes of state authorization which reflects current practice; (2) add accrediting agencies approved and accepted by the U.S. Department of Education to the list of accrediting agencies approved by the Board of Regents; (3) clarify the process by which a newly established institution may obtain authorization to operate in the State of Montana; and (4) clarify that the policy does not apply to the transfer of credits into the campuses of the Montana University System.

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**EXPLANATION**

Under the U.S. Department program integrity regulations, which became effective July 1, 2011, each state must have a process in place to authorize institutions to offer postsecondary education, and each institution must be authorized by a state in order to be eligible to participate in Title IV financial aid programs. In Montana, the Board of Regents has the statutory authority and responsibility to serve as the authorizing entity.

These revisions to Policy 320.1 reflect an evolving understanding of the Board of Regents' role in state authorization and the needs of institutions in light of the program integrity regulations. The changes related to religious institutions and newly established institutions simply clarify practices that are already allowed by state law. The decision to add U.S. Department of Education approved accrediting agencies to the list of accrediting agencies approved by the Board of Regents reflects a policy judgment that those accrediting agencies have national recognition and acceptance and should therefore also be accepted by the Board of Regents. The decision to move this policy to Section 200, Governance and Organization, is done with the purpose of clarifying that this policy applies to the authorization of institutions to operate in the State of Montana, and does not have any bearing on the transfer of credits into the campuses of the Montana University System.

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**ATTACHMENTS**

Attachment #1- Revised Policy