

Montana State Authorization FAQ

Q: Is there a specific form I need to fill out and submit for state authorization?

A: Yes. Please fill out the Montana State Authorization Application Form and email it to the Montana State Authorization Compliance Agent at stateauthorization@montana.edu.

Q: Are there any fees associated with the authorization process?

A: No, the Montana Board of Regents of Higher Education does not currently charge any fees for state authorization.

Q: If our institution meets all requirements, are we “exempt” from authorization?

A: No. Your institution must submit an application and be granted authorization by the Montana Board of Regents of Higher Education in order for your institution to be operating lawfully in the State of Montana.

Q: Are there any types of institutions that are exempt from the authorization requirements?

Authorization requirements do not apply to:

- Religious institutions that are owned, controlled, operated and maintained by a religious organization lawfully operating as a non-profit religious corporation and that award only religious degrees or certificates;
- Schools of barbering, cosmetology, electrology, esthetics, and manicuring, which are regulated under Title 37, Chapter 31, MCA;
- Flight schools possessing a valid certificate issued by the Federal Aviation Administration; and
- Institutions domiciled in states other than Montana that are duly-authorized members of the State Authorization Reciprocity Agreement (Note: this exemption does not apply if the institution has a physical presence in Montana, as defined by section 5 of the *State Authorization Reciprocity Agreements: Policies and Standards*).

Q: Is the need for authorization dependent on physical presence?

A: No, Montana regulates providers offering instruction to individuals residing in Montana regardless of physical presence. All postsecondary institutions must seek authorization.

Q: Does the State of Montana have regulations regarding solicitation of students via email, direct mail, phone, or advertising for online programs?

A: Yes. Pursuant to the Montana Consumer Protection Act, it is unlawful to use unfair or deceptive acts or practices in the conduct of any trade or commerce. (Title 30, Chapter 14, Part 1, Montana Code Annotated).

Q: Does the State of Montana have regulations regarding an online program that requires students be placed in clinicals, internships, or practicums?

A: Yes. Individual boards of the Montana Department of Labor and Industry have approval authority over the placement of students enrolled in an out-of-state program to undertake clinical practice in a Montana facility. All requests for approval should be directed towards those boards. For more information, visit <http://bsd.dli.mt.gov/license/license.asp>.

Q: Does my school need to report its accreditation status to the Montana University System on an annual basis?

A: No. You do not need to report to the Montana Board of Regents on your accreditation status as long as your institution maintains its accreditation.

You must contact the Montana Office of the Commissioner of Higher Education immediately if your accreditation status changes to either a probationary or denied status.

Q: How does a candidate for accreditation gain authorization?

A: Institutions formally accepted as candidates for accreditation (i.e. pre-accredited status) by any of the agencies listed in BOR Policy § 221 shall be treated as accredited for as long as they remain in that status.

Q: When does the Montana University System consider state authorization applications?

A: Applications are considered on a rolling basis.

Q: How long will it take your agency to act on a completed, submitted application?

A: We attempt to respond to applications within 20 days of receipt.