Policies and Procedures about Applying for a Certificate of Authorization in Texas for Exempt Private or Public Out-of-State Postsecondary Institutions

Introduction

The steps outlined in this summary are for general reference purposes only. The summary is not meant to replace any laws or ordinances of the State of Texas, the official rules of the Texas Higher Education Coordinating Board (Coordinating Board), or the official rules of the Texas Workforce Commission (TWC).

While the primary responsibility of the Coordinating Board is providing leadership and coordination for Texas public higher education, the Coordinating Board also administers the laws regulating private and out-of-state public postsecondary institutions operating in Texas (Texas Education Code, Chapter 61, Subchapters G and H). A Certificate of Authorization from the Coordinating Board is not accreditation.

The provisions of this summary apply to an "exempt" institution. An exempt institution is one that is either 1) accredited to offer degrees at a specific level by an accrediting agency recognized by the Coordinating Board or 2) approved by a Texas state agency which authorizes the school's graduates to take a professional or career technical state licensing examination administered by that agency. The criterion for an exemption applies only to the degree level for which the programs or institution is accredited. Information about the accreditation process and a listing of accrediting agencies recognized by the Coordinating Board can be found on the THECB website at: http://www.thecb.state.tx.us/index.cfm?objectid=82D8A2BE-F970-8C4F-8162F7FC93041545

An institution that does not meet the definition of an institution of higher education contained in the Texas Education Code 61.003, is accredited by a Board recognized accreditor, and is interested in offering degrees or courses leading to degrees in the state of Texas, must apply for and receive a Certificate of Authorization. The following procedures have been established to fulfill those requirements.

To be eligible for a Certificate of Authorization an institution must be accredited by a Board recognized accrediting agency, be approved to offer academic degrees, complete and submit an application including supporting documentation as applicable, i.e., TWC approval or exemption, lease agreements, etc.

Step 1: Application

Complete and submit an application for a Certificate of Authorization. Include a copy of the accreditor's approval and TWC's Certificate of Approval or exemption. There is no application fee.

Step 2: Evaluation of the Institution's Application for a Certificate of Authorization

Applications will be reviewed and, if approved, a Certificate of Authorization will be issued. The certificate will include the following information: 1) the specific degree-granting authority of the institution, 2) the issue date, 3) the effective date, and 4) the accrediting agency. An institution awarded a Certificate of Authorization is prohibited from stating or implying that the certificate is accreditation or the equivalent of accreditation.

Note:

Authority for this exemption is based on the institution's accreditation with a Board recognized accrediting agency and will continue as long as the institution maintains acceptable accreditation standards and makes no substantive change that exceeds the basis on which it is exempt. The institution is required to submit an application for a Certificate of Authorization based on accreditation and is exempt from most of the Chapter 7 rules. However, all institutions operating under a Certificate of Authorization must comply with sections 7.11 (Change of Ownership and Other Substantive Changes), 7.12 (Review and Use of Degrees from Institutions Not Eligible for Certificates of Authority), and 7.13 (Data Reporting) of Board rules.