



Question: I am curious if any states have a provision for non-activity or no enrollments? If you do, at what point do you withdraw an approval? Two years, three years or more....

Responses:

California:

California does not have such a provision. Institutions with no enrollments are still required to pay fees and submit financials annually so eventually they tire of that or come out of compliance and ultimately surrender their license.

Colorado:

Colorado does not have a provision that addresses non-enrollment

Illinois:

This is what we have for private business and vocational schools in Illinois:

<https://www.ibhe.org/assets/files/PBVSAdminRules.pdf>

Section 1095.20 a) 2) Institutions Required to Receive Approval

“2) A school that has not provided instruction in any approval year and desires to resume operations in Illinois. The school shall file a permit of approval application and pay the permit of approval application fee.”

Section 1095.80 a) 1) Procedures for Obtaining Approval to Offer One or More New Certificates

“1) The school requesting permission to offer a new program or re-establish a program not **offered** in the last approval year will complete an application provided by the Board.”

Minnesota:

Minnesota add this provision in the last couple of years.
The language is added to our revocation grounds:

- (5) failing to have enrollment within the last two years at the school;
- (6) failing to have any enrollment within two years of a program's approval, except for programs that require extensive approval processes by the United States Department of Education, or the program's institutional or programmatic accreditor; or

Mississippi:

I have had two situations of school with reported inactivity that are still “registered.”

1. One school started a dental assisting program through her dental practice at the start of 2020, our Year of Hell (AKA Covid). She suspended all enrollments until this summer.
2. Another school has two licenses which they have had for many years, actually before my taking this position. One is a very active CDL school reporting 6-figure tuition collections. They have one dormant license they bond and pay regular yearly fees, just in case they wish to open a new location.

Pennsylvania:

PA does not currently have a provision; however, we have proposed regulations that would require institutions to discontinue programs after two years of no enrollment.

DRAFT REGULATION:

Retention of Program Offerings.

(a) A school must report to the Board when a program is discontinued.

(1) A program must be discontinued if it is not offered or if it has no enrollment for two consecutive calendar-years.

(2) Offering a program after a required third-party approval is withdrawn is a violation

Rhode Island:

As part of the annual renewal process for proprietary schools, **a school must be operating in order to apply for renewal**. Operating a proprietary school includes three main activities: 1) establishing or maintaining within the borders of state of Rhode Island a facility or location where instruction, student services or educational program administration are provided or postsecondary educational credentials are granted to persons in the state or to persons outside of the state; 2) contracting with any person, group, or entity to operate such an institution; or 3) the activities of persons owning an interest in, employed by, or representing for remuneration a postsecondary educational institution in or outside the state who, by solicitation made in the state: a) give counsel to, enroll or seek to enroll students for education offered by the institution; b) offer to award educational credentials for remuneration on behalf of the institution; or c) hold themselves out to persons in the state as representing a postsecondary educational institution for any purpose.

Texas:

Texas does not have such a provision. Institutions with no enrollments are still required to submit annual compliance and data reporting. Out of state institutions we would tell them we are ending their Certificate because we no longer have authority to regulate them (leaving that

to their home state). In-state institutions we have not had this issue, but I assume they would eventually tire of compliance reporting and surrender their license.