STATE OF MONTANA

AUTHORIZATION TO OPERATE POSTSECONDARY DEGREE PROGRAMS

Applicants for state authorization must meet the following applicable approval requirements in order to offer post-secondary degree programs to Montana residents:

- Institutions must meet all of the specified requirements set forth in BOR Policy 221.
- Nursing student clinical placement must meet Montana Board of Nursing standards.
- Private institutions must register with the Secretary of State as business entities.

If your institution does not meet these requirements, please email our compliance agent for more information.

State authorization is regulated via the following laws and policies

34 CFR 600.9 State authorization

(a)(1) An institution described under §§ 600.4, 600.5, and 600.6 is legally authorized by a State if the State has a process to review and appropriately act on complaints concerning the institution including enforcing applicable State laws, and the institution meets the provisions of paragraphs (a)(1)(i), (a)(1)(ii), or (b) of this section.

MCA § 20-25-107 Regulation of award of degrees – penalty

(1) No person, corporation, association, or institution shall issue any degree or such similar literary honors as are usually granted by universities or colleges without the prior approval of the regents of the adequacy of the course of study.¹

Montana University System Board of Regents Policy § 221

A. Authorization Required. Pursuant to §20-25-107, MCA, no person, corporation, association or institution shall issue any degree or such similar literary honors as

¹ The Board of Regents does not have an independent review process for schools not accredited by one of the agencies listed in Board of Regents policy 221. Accreditation by one of the listed agencies is the exclusive method of recognition by the Board of Regents for purposes of MCA § 20-25-107.
are usually granted by universities or colleges without the prior approval of the regents of the adequacy of the course of study.

Public and private institutions must meet specific requirements for authorization. Please review the entire policy for detailed information.

**Administrative Rule of Montana 24.159.608 (Nursing Education Programs)**

*Placement of an Out-of-State Nursing Student in a Montana Clinical Practice Setting:* The Montana Board of Nursing has authority over the placement of students enrolled in an out-of-state nursing education program to undertake clinical practice in a Montana facility. Please read the administrative rule for detailed information on the requirements.

Please contact Cynthia Gustafson, Executive Director of the Board of Nursing, for information on complying with this regulation at (406) 841-2380 or cgustafson@mt.gov.

**Montana Code Annotated Title 35 (Corporations, Partnerships, and Associations)**

*This requirement does not apply to public institutions*

Pursuant to the laws set forth in Title 35 of the Montana Code Annotated, out-of-state businesses, including private educational institutions, may not transact business in Montana without meeting the registration requirements of the Montana Secretary of State’s Office.

Registration forms can be found at http://sos.mt.gov/Business/Forms/index.asp.

Please contact the Business Services Division of the Montana Secretary of State with questions related to this requirement at (406) 444-3665.