



Docket Item:

Approve permanent rule adoption Chapter 583: Providing for temporary closure mechanism for institutions regulated by the Office of Degree Authorization.

Summary:

- | | |
|--|---|
| <input checked="" type="checkbox"/> New Rule | <input type="checkbox"/> Temporary |
| <input type="checkbox"/> Amend Existing Rule | <input checked="" type="checkbox"/> Permanent |
| <input type="checkbox"/> Repeal Rule | |

Prompted by:

- State law changes
 Federal law changes
 Other

583-030-0059: Establishes a mechanism for regulated institutions to temporarily cease operations while retaining state authorization.

The rule is required to provide flexibility to institutions whose operations are significantly but temporarily impacted.

Material:

Text of Permanent Rule Adoption

Staff Recommendation:

Staff recommends the Commission approve the attached permanent rule adoption, to take effect upon filing with the Secretary of State.

PERMANENT COVID 19 RELATED ADMINISTRATIVE RULE CHANGES

CHAPTER 583 (ODA)

583-030-0060

Temporary Closure

The Commission may designate a school as temporarily closed if the following conditions are met:

(1) The school must request “temporary closure” designation in writing from the Commission, subject to approval of the Executive Director. That request must state the reason(s) for the request for temporary closure status as set forth in (1)(b), including providing any documentation in support of the request as required by the Commission, and a projected timeline for the resumption of educational operations.

(2) The Commission may grant temporary closure status if the requesting school ceases educational operations due to unforeseeable or exigent circumstances including, but not limited to, property loss or damage due to fire, flood, or other natural disaster; or inability of the owner, manager, or other key staff to perform their duties due to extended illness or injury, as determined by the Executive Director.

(3) The Commission may grant temporary closure status to a school for not longer than twelve months from the date of first request for the designation. Temporary closure status shall not result in the revocation of the school’s authorization so long as the school is in compliance with all relevant laws.

(4) Schools granted temporary closure status shall provide make notice, teach out, transfer and refund arrangements for currently enrolled students if the Commission directs the school to do so.

(5) Schools in temporary closure status must respond to in writing to requests from students and the Commission for information, updates, and records within ten calendar days.

(6) Schools in temporary closure status must maintain state authorization, including a letter of credit or surety bond.

(7) Schools in temporary closure status must maintain continuous accreditation with the current regional or national accreditor, or its successor.