

2022 Annual Report

Postsecondary Licensing

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Postsecondary Licensing

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Introduction

The Council on Postsecondary Education (CPE) licenses for-profit and non-profit institutions that offer at the bachelor's degree level or above. If such an institution also offers course(s)/program(s) for college credit below the bachelor's degree level, then CPE licenses that as well. In addition, CPE licenses out-of-state public institutions that operate or solicit in Kentucky and offer course(s)/program(s) for college credit.

A for-profit or non-profit school offering only credentials below a bachelor's degree is licensed by the **Kentucky Commission on Proprietary Education**. CPE's President is a member of that board.

Cosmetology schools are regulated by the **Kentucky Board of Cosmetology**.

Licensure is required for an institution to operate or solicit in KY and offer course(s) / program(s) to KY students. "Operating or soliciting" is defined in the licensing regulation 13 KAR 1:020 Section 1 (9) <https://apps.legislature.ky.gov/law/kar/013/001/020.pdf> and includes:

- (a) An instructional or administrative site within Kentucky whether owned, leased, rented, or provided without charge;
- (b) Instruction whether theory or clinical, originating from or delivered within Kentucky utilizing teachers, trainers, counselors, advisors, sponsors, or mentors;
- (c) An agent, recruiter, in-state liaison personnel, institution, or business located in Kentucky that advises, promotes, or solicits for enrollment, credit, or award of an educational or occupational credential;
- (d) An articulation agreement with a Kentucky licensed college or state-supported institution; or
- (e) Advertising, promotional material, or public solicitation in any form that targets Kentucky residents through distribution or advertising in the state.

Students completing an internship, practicum, clinical, or field experience in Kentucky for which the institution is awarding college credit is a trigger for licensure per 13 KAR 1:020 Section 1 (9)(b).

Faculty residing in Kentucky and teaching in an out-of-state institution's online course(s) / program(s) available to Kentucky students would trigger the requirement for licensure with CPE per 13 KAR 1:020 Section 1(9)(b), except that licensure is not required if:

- Less than 1% of the institution's total faculty resides in KY per 13 KAR 1:020 Section 2(2)(c).
- Or the institution certifies in writing to us that its faculty members residing in KY do not teach Kentucky students. CPE's consumer protection is for Kentucky students, so in that case, CPE's licensure requirement would not be triggered.

If an institution's program is also required to be licensed or approved by another state agency in addition to CPE, then CPE coordinates the licensing function with that agency per 13 KAR 1:020 Section 2(3). As one example, in the case of nursing programs, CPE works closely with the Kentucky Board of Nursing (KBN) to make sure the institution has KBN approval. As another example, P-12 educator preparation programs, including graduate programs for rank change or certification, require the approval of another state agency called the Kentucky Education Professional Standards Board (EPSB, <http://www.epsb.ky.gov/mod/page/view.php?id=12>), before CPE would license the program.

Criteria for a license include but are not limited to:

- Stable finances, a course catalog and proper recordkeeping, including student transcripts in electronic format.
- Clear administrative, refund and academic policies.
- Qualified faculty, instructional support, academic advising and services for students.
- Facilities and equipment in compliance with the local, state and national safety and health requirements.
- Provision of truthful marketing messages and school information, such as policies and schedule, to the public, and responsiveness to student complaints reported to CPE.
- Data, such as enrollment, number of student transfers and the number of degrees awarded.

An institution may only operate and advertise the courses and programs specifically approved in the license.

For reference:

- KRS 164.945 <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=47222>
- KRS 164.946 <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=4501>
- KRS 164.947 <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=4502>
- KRS 164.992 <https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=4527>
- 13 KAR 1:020 <https://apps.legislature.ky.gov/law/kar/013/001/020.pdf>

Changes Requiring CPE Approval

For licensed institutions, CPE requires a supplementary licensure application per 13 KAR 1:020 Section 6 for:

- Change of name of institution
- Change of location
- Change of ownership or governance
- New program or concentration
- New site
- Administrative Site, Recruitment Office, or Advising Center
- Change in Accreditation or Licensure Status

Institutional Reporting to CPE

Licensed institutions submit to CPE:

- Fall enrollment data by March 1 each year
- Transfer and Degrees Conferred Data by October 1 each year
- Annual Licensure Renewal Application by April 1 each year

Institution members of the Association of Independent Kentucky Colleges and Universities (AIKCU) report additional student level [data](#) to CPE.

Institutions and Programs Licensed by CPE

Institutions licensed by CPE are listed on CPE's website:

- In-state institutions <http://cpe.ky.gov/campuses/in-state.html> and
- Out-of-state institutions <http://cpe.ky.gov/campuses/out-of-state.html>

If an institution is on conditional license, CPE denotes that on that webpage.

Licenses are valid from July 1 to June 30, and institutions apply with CPE for licensure renewal each year.

CPE also has an inventory of programs (as note, concentrations are tracked on the full program record). <https://dataportal.cpe.ky.gov/KYAcademicProgInventory.aspx>

CPE Postsecondary Licensing Stats as of 12/31/22

Licensees

- Annual Licensure Renewals = 77
- New Licenses = 4
 - In-state = 1
 - Out-of-state = 3
- Total Licensees = 81
 - AIKCU = 18
 - Other KY Independent = 14
 - Out-of-state = 49
- Total Non-Profit = 58
 - In-state = 29
 - Out-of-state = 29
- Total For-Profit = 17
 - In-state = 3
 - Out-of-state = 14
- Total Out-of-state Public = 6

Mode of Delivery

- Licensees offering programs delivered 100% distance learning = 40
 - In-state = 22
 - Out-of-state = 18
- Licensees offering programs 100% face-to-face on a Kentucky campus = 52
 - In-state = 28
 - Out-of-state = 24
- In-State Institutions offering programs face-to-face both on Kentucky campuses and delivered through distance learning = 24

Programs/Degrees Offered

Type	Number of Programs Offered at Licensed In-State Institutions	Number of Programs Offered at Licensed Out-of-State Institutions	Total
Undergraduate	1077	330	1407
Graduate	378	288	666
Total	1455	618	2073

Licensed Instructional Sites

- Total Licensed Instructional Sites = 114
 - In-State Main Campus/ Out-of-State Instructional Sites in KY = 56
 - In-state = 32
 - Out-of-state = 24
 - Out-of-state Online = 18
 - In-state Institution Off-campus Sites in KY where 50% or more of program is offered = 40

Accreditation by accrediting agency recognized by U.S. Department of Education

	ABHE	ABHES	ATS	COE	DEAC	HLC	NECHE	SACSCOC	WASC
Number of Licensees	4	3	2	1	2	25	1	33	7

- Association of Biblical Higher Education (ABHE)
- Accrediting Bureau of Health Education Schools (ABHES)
- Association of Theological Schools (ATS)
- Commission of the Council on Occupational Education (COE)
- Distance Education Accrediting Commission (DEAC)
- Higher Learning Commission (HLC)
- New England Commission of Higher Education (NECHE)
- Southern Association of College and Schools Commission on Colleges (SACSCOC)
- Western Association of Schools and Colleges Senior College and University Commission (WSCUC)

The chart above represents the institutional accreditor, not programmatic accreditor(s).

In the event a licensee may have SACSCOC accreditation plus an additional institutional accreditation, only SACSCOC is noted in the chart.

In addition, one out-of-state institution is accredited by ABHE and WASC, but is only counted once under WASC.

Three in-state licensees are not represented in the chart as they are licensed conditioned upon them obtaining accreditation with an accrediting agency recognized by the U.S. Department of Education.

Enrollment

- Total Fall Enrollment 2021 = 74,070

	Fall Enrollment at Licensed In-State Institutions	Fall Enrollment at Licensed Out-of-State Institutions	Total Fall Enrollment
Total	67,309	6,761	74,070

New Program Applications

- Total number of new program applications approved in 2022 = 157
 - In-state = 92
 - Out-of-state = 65
- By program level:

Program Level	Number of New Programs from In-state Institutions	Number of New Programs from Out-of-state Institutions	Total Number of New Programs
Undergraduate Certificate/Diploma	9	8	17
Associate Degree	6	5	11
Bachelor's Degree	54	13	67
Post-Baccalaureate Certificate	5	2	7
Master's Degree	15	27	42
Post-Master's Certificate	0	1	1
Doctoral Degree	3	9	12
Total	92	65	157

Conditional Licenses

If an institution is on conditional license with CPE, CPE denotes that on that webpage.

- In-state institutions <http://cpe.ky.gov/campuses/in-state.html> and
- Out-of-state institutions <http://cpe.ky.gov/campuses/out-of-state.html>

A "conditional license" on file with CPE means that the institution may still operate in Kentucky, but due to issues concerning one or more standards for licensure, it must fulfill the conditions stated in the linked letter at the webpages above.

Typically, a conditional license is issued if:

- an in-state institution is required to have CPE’s approval prior to applying for accreditation with an accrediting agency;
- an institution is on probation with its accreditor; or
- an institution is under investigation or has been sanctioned by another state agency or a federal agency.

Total new conditional licenses issued in 2022 = 8

Program-level conditional licenses active as of 12/31/22 = 11

Institution-level conditional licenses active as of 12/31/22 = 6

Total conditional licenses satisfied and removed in 2022 = 5

Program Modifications

- Number of existing programs modified (i.e., program name revision, CIP code revision, etc.) = 213
 - In-state = 178
 - Out-of-state = 35

Programs Inactivated/Closed by Licensed Institutions

- Total programs = 50

Program Level	Number of Closed Programs from In-state Institutions	Number of Closed Programs from Out-of-state Institutions	Total Number of Closed Programs
Undergraduate Certificate/Diploma	6	0	6
Associate Degree	19	0	19
Bachelor’s Degree	15	0	15
Post-Baccalaureate Certificate	0	0	0
Master’s Degree	9	0	9
Post-Master’s Certificate	0	0	0
Doctoral Degree	1	0	1
Total	50	0	50

Licensure Formal Complaints

- Total number of complaints facilitated = 0
 - Number of complaints against in-state institutions = 0
 - Number of complaints against out-of-state institutions = 0
- Total number of licensees with a complaint = 0
 - In-state institutions = 0
 - Out-of-state institutions = 0

Closures

- Total licensed institutions closed = 3
 - In-state institutions = 0
 - Out-of-state institutions = 3
- Total licensees/instructional sites in KY closed (though institution itself is not closed) = 0
 - In-state institutions = 0
 - Out-of-state institutions = 0

Change of Location Applications

- Total number of applications = 5
 - In-state institutions = 3
 - Out-of-state institutions = 2

Change in Accreditation Status Applications

- Total number of applications = 0
 - In-state institutions = 0
 - Out-of-state institutions = 0

Change in Ownership Applications

- Total number of applications = 1
 - In-state institutions = 0
 - Out-of-state institutions = 1

Faculty Qualification Audits

- Reviewed New Faculty in 142 New Programs
 - In-state programs = 43
 - Out-of-state programs = 99

Religious In-State Colleges Operating in KY per Exemption with CPE

- Annual Religious In-State College Exemption applications accepted = 12
- A religious in-state college may operate or solicit in Kentucky if the college submits to CPE an Application for Religious In-State College Letter of Exemption per KRS 164.947(2).

- The exemption allows religious in-state colleges to provide, without restriction, religious instruction or training solely for the purpose of preparing students for occupations in the ministry while still meeting CPE's standards for consumer protection.