

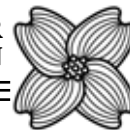


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RULES OF  
**Department of Higher Education and  
Workforce Development**  
Division 10—Commissioner of Higher Education  
Chapter 10—Out-of-State Public Institutions

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**TITLE 6 – DEPARTMENT OF HIGHER EDUCATION AND  
WORKFORCE DEVELOPMENT**

**Division 10 – Commissioner of Higher Education  
Chapter 10 – Out-of-State Public Institutions**

**6 CSR 10-10.010 Out-of-State Public Institutions**

*PURPOSE: This rule describes the requirements with which out-of-state public institutions that offer instruction in Missouri must comply.*

(1) Definitions.

(A) “Accreditation” means the status of public recognition conferred by an accreditor recognized by the U.S. Department of Education as a reliable authority concerning the quality of education or training provided by institutions of higher education.

(B) “Board” means the Coordinating Board for Higher Education created by section 173.005, RSMo.

(C) “Certificate” means any award, including a diploma, that does not have a degree designation of associate, baccalaureate, master, education specialist, or doctorate.

(D) “Course” means a defined and unique educational offering with discrete objectives and requirements in support of a program or certificate, regardless of how the offering is delivered. A course may be offered as a distinct program or certificate.

(E) “Department” means the Department of Higher Education and Workforce Development.

(F) “Distance education” means those education opportunities provided for credit by institutions of higher education through online services or other distance modalities where the participants are at a distance from each other and may or may not be separated in time (synchronous vs. asynchronous).

(G) “Duplication” means offering a program, certificate, or course that is the same or substantially similar to a program, certificate, or course that is currently approved by a Missouri public higher education institution.

(H) “Dual credit courses” means college-level coursework delivered by a postsecondary educational institution and taught in a Missouri high school by instructors with appropriate academic credentials to Missouri high school students earning high school and college credit simultaneously.

(I) “Dual enrollment courses” means postsecondary courses of instruction delivered by a dual-enrollment provider in which a secondary school student is concurrently enrolled in a Missouri high school and the dual enrollment provider.

(J) “Out-of-state public institution of higher education” means an education institution located outside Missouri meeting the requirements of section 173.005, RSMo.

(K) “Physical presence” means any location within the state of Missouri where, or through which, an out-of-state public institution of higher education operates for the purpose of offering programs, certificates, or courses. Location is defined to include any address, physical site, electronic device, or telephone number within or originating from within the boundaries of the state of Missouri. Physical presence shall also mean a formally scheduled instructional interaction, clinical internship, or field experience related to Missouri’s licensed professions, organized by or through an institution taking place between two (2) or more students and/or instructors, or preceptors, within the state of Missouri or any signed contract or agreement between a Missouri organization and an out-of-state institution to enroll students. Physical presence does not include any activities conducted by an out-of-state

public institution of higher education that is covered by the provisions of the State Authorization Reciprocity Agreement.

(L) “Point of contact” means an individual who is designated by the out-of-state public institution of higher education as the person responsible for receiving and conveying information between the institution and the board or the department. The department will direct all communications regarding the out-of-state public institution of higher education’s activities in Missouri to the point of contact.

(M) “Program” means a prescribed course of study that leads to the formal award of a certificate or degree.

(2) Jurisdiction. No out-of-state public institution of higher education may offer programs, certificates, or courses, including those offered as dual credit or dual enrollment, within the state of Missouri without receiving prior approval from the board and payment of appropriate fees. Approval to operate via physical presence or approval to offer distance education does not automatically confer approval to offer such programs, certificates, or courses, as these must be submitted separately for review and approval. Programs offered cooperatively between a Missouri public institution and an out-of-state public institution that are transcribed by the Missouri public institution are not subject to this rule. Approved out-of-state public institutions providing dual credit or dual enrollment courses in Missouri will be subject to the same annual reporting requirements as Missouri institutions.

(3) Approval to Establish a Physical Presence in Missouri.

(A) Out-of-state public institutions of higher education must submit a request to the department for approval to operate through a location within the state of Missouri. The request must include the following:

1. Name of the institution;
2. Physical location where or through which instruction will be provided in Missouri;
3. Name and contact information of the chief administrative officer of the Missouri location and the point of contact of the Missouri location, if different;
4. Verification of institutional and any programmatic accreditation;
5. Verification the institution is not currently subject to a sanction by its recognized institutional accreditor, the absence of which is sufficient to deny approval;
6. A list of all programs, certificates, or courses, including outcome awards and Classification of Instructional Programs (CIP) codes, the institution will propose to offer at the Missouri location;
7. Institution’s plan for ensuring the program(s) anticipated to be offered at or through the location will have adequate qualified faculty to offer high-quality programs; and
8. Copies of the institution’s complaint policies.

(B) The department may seek additional information, documentation, research, or verification submitted or received from any source in supplement to the pending application. This may include information regarding potential unnecessary duplication of programs offered by Missouri public institutions or other potential program offerings that, if proposed by a Missouri public institution, may require review through the comprehensive review process as described in 6 CSR 10-4.010.

(C) Upon review of all documents regarding the application, the department will provide a recommendation to the board at the next available board meeting.

(D) The board may approve or deny the proposal to establish



a physical presence in Missouri. If approved, such approval will be for a period of three (3) years and is subject to renewal and payment of a renewal fee.

(E) Any approval of a location in Missouri by an out-of-state public institution of higher education shall not be construed or interpreted such that students attending the institution are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

(F) Out-of-state public institutions of higher education that receive board approval to operate a location in Missouri shall be held to the same standards for program review and policies for closure, information disclosure, data collection, cooperation, and dispute resolution as Missouri public institutions of higher education.

**(4) Approval to Offer Distance Education.**

(A) Out-of-state public institutions seeking to offer programs, certificates, or courses in Missouri via distance education that are not participants in a state that is a member of a distance education reciprocity agreement to which Missouri is also a member must submit a request to the department for approval to offer education via distance or other modalities that do not include a physical presence. The request must include the following:

1. Name of the institution;
2. Address of main campus or the campus through which the program(s), certificate(s), or course(s) will be offered;
3. Name and contact information of the chief administrative officer of the location through which distance education is offered and the point of contact of the institution, if different;
4. Name and verification of recognized institutional and any programmatic accreditation;
5. Verification the institution is not currently subject to a sanction by its recognized institutional accreditor, the absence of which is sufficient to deny approval;
6. Copies of student information disclosures the institution uses to advise students regarding educational requirements for professional licensure programs; and
7. Copies of the institution’s complaint policies.

(B) The department may seek additional information, documentation, research, or verification submitted or received from any source in supplement to the pending application.

(C) Any approval to offer distance education by an out-of-state public institution of higher education approved under this rule shall not be construed or interpreted such that students enrolled in the program, certificate, or course are considered to be attending a Missouri public institution of higher education for purposes of obtaining student financial assistance.

(D) Out-of-state public institutions of higher education that receive approval to offer distance education programs, certificates, or courses in Missouri shall be held to the same standards for data collection as Missouri public institutions of higher education.

(5) Program, Certificate, or Course Review and Approval. Out-of-state public institutions of higher education with a physical presence must submit programs, certificates, and courses for review and approval. The three (3) types of review for programs, certificates, and courses are staff, routine, and comprehensive.

(A) Staff review is to consider minor changes to currently approved programs, certificates, or courses. Such changes include inactivation or deletions, changing the program title or CIP code, or minor curriculum changes that do not, in the

opinion of the department, rise to the level of a new program, certificate, or course. More extensive revisions may be referred to the routine or comprehensive review level.

1. Department staff may request additional information from the proposing institution to determine the appropriate level of review and ensure all required information is included in the proposal.

2. Staff will report staff review actions to the board at the next regular board meeting following completion of the review.

(B) Routine review is for new programs, certificates, or courses, or for changes to existing programs, certificates, or courses, deemed by staff to not meet the criteria for staff review. Programs, certificates, or courses to be offered in Missouri may be considered under routine review if they meet the following criteria:

1. The program, certificate, or course is already offered on the main out-of-state campus of the institution;
2. The program, certificate, or course does not unnecessarily duplicate an existing program, certificate, or course in the applicable geographic area; and
3. The proposal includes a compelling rationale justifying the need for the program, certificate, or course and why the proposing institution is best suited to deliver the program, certificate, or course.

(C) Comprehensive review is for new programs, certificates, or courses or changes to existing programs, certificates, or courses deemed by staff to not meet the criteria for routine review. Programs, certificates, or courses to be offered in Missouri may be considered under comprehensive review if they meet the following criteria:

1. The program, certificate, or course is not offered at the main out-of-state campus of the institution;
2. The program, certificate, or course duplicates an existing program, certificate, or course offered by a public two- (2-) or four- (4-) year college or university in the applicable geographic area; or
3. The institution does not have a compelling rationale justifying the need to offer the program, certificate, or course in Missouri, including why the proposing institution is best suited to deliver the program.

(6) Fees. Payment may be made electronically or by check. Fees should be made payable to the Missouri Department of Higher Education and Workforce Development. Fees are non-refundable.

(A) Application to Establish or Renew Physical Presence	\$3,000
(B) New Program, Certificate, or Course Application (Physical Presence)	\$1,500
(C) Program, Certificate, or Course Change (Staff Review)	\$250
(D) Application to Offer or Renew Approval for Distance Education	\$1,500
(E) New Program, Certificate, or Course Application (Distance Education)	\$750

(7) Probation, Suspension, or Revocation. An out-of-state public institution of higher education authorized to operate in Missouri via physical presence or for distance education may be placed on probation, may be suspended, or may have its authorization revoked for reasons of noncompliance with the provisions of this rule, including adverse actions from the institution’s or the programmatic accreditor.



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*AUTHORITY: section 173.005, RSMo Supp. 2024. \* Original rule filed Dec. 17, 2007, effective June 30, 2008. Amended: Filed April 15, 2013, effective Oct. 30, 2013. Rescinded and readopted: Filed Nov. 5, 2024, effective April 30, 2025.*

*\*Original authority: 173.005, RSMo 1973, amended 1983, 1985, 1999, 2003, 2005, 2007, 2010, 2011, 2012, 2013, 2016, 2018.*