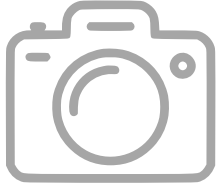


LICENSURE COMPLIANCE: SNAPSHOT SUMMARY



Federal Department of Education regulations and State Authorization Reciprocity Agreement (SARA) policy require institutions to understand if their programs meet educational requirements for professional or occupational licensure and communicate that understanding to specific audiences at specific times.

Department of Veterans Affairs rules require additional disclosures.

This compliance snapshot outlines these requirements at a high level and may be a useful tool when working with institutional partners.

STEP 1: UNDERSTAND

Determine which programs are licensure

- Designed or advertised
- All modalities

Research educational requirements in all U.S. jurisdictions

- Find board/agency website
- Review Statutes/regulations/rules, application forms, any FAQs and other info
- Use reputable third-parties to confirm/clarify (ASWB, NASDTEC, etc)
- Some licensing boards/agencies may be willing and able to answer specific questions
- You may discover program approval is required by a state board/agency, especially if clinical experiences are offered in their state/territory

Compare your program to state/territory requirements.

- For some license types, you will need to complete an in-depth curriculum comparison to courses-possibly to the assignment level and field experience/internships
- Although rare, some licensing boards will evaluate your out-of-state program, for a small fee. Take advantage of these opportunities

Conclude if “meets” or “does not meet”.

- Current federal regulation allows for “not determined.” NOT ALLOWED AFTER JULY 1
- Under SARA policy, can use “no determination made” after “all reasonable efforts” to determine if meets

Create a process to review research and update comparisons on a regular basis.

- Annual aligns with other Title IV requirements

STEP 2: CERTIFY

Program Participation Agreement (PPA)

- Institution must certify that each licensure-related program “meets” educational requirements for licensure in state/territory where institution is located and where distance education students are located, in order to enroll.
- Distance Education is defined by ED as taking one or more courses through distance education (online or otherwise) during the first term of enrollment.

Effective Date

- For any prospective student initially enrolling in a licensure program on July 1, 2024 or after.
- Does not apply retroactively, current students in the program can be located in “does not meet” state/territory.

Written Attestation

- Can be used to enroll students located in “does not meet” or not determined state/territory

STEP 3: COMMUNICATE

Public Disclosures

Create specific webpage for public disclosures

- "Meets", "Does not meet" or "no determination made"
 - **No Determination going away July 1**
- SARA policy - must include contact information for board/agency if "no determination made"

Veterans Affairs requires "any conditions or additional requirements, including training, experience, or examinations required to obtain the license, certification, or approval for which the program of education is designed to provide preparation."

Individual Direct Disclosures

Create processes for prospective and current students

- Typically through email
- Prior to enrollment (completed registration requirements except for payment of tuition and fees) - if "does not meet" or "no determination made"
- Within 14 calendar days for current student - if changes to "does not meet"
- Best practice - send to all prospective students, even if "meets". Collect acknowledgment of receipt through application or enrollment agreement.
- Try to insert into existing communication processes (i.e. prior to enrollment, with an address change, etc)

POLICY AND PROCESS CONSIDERATIONS

Location

Each institution establishes own policy

- Certifying and Direct Disclosures based on prospective student/student location
- How/when do students notify you of change in location? I.e. relocation
- How/when do you confirm location of students?

Initial Enrollment

- When does that occur? May be different at each institution
- Critical for Certifying and Direct Disclosures
- Must be *prior to enrollment agreement or financial commitment*

Attestation

Prospective students who are located in a "does not meet" location can still enroll if they are provided with information about licensure and attest that they will seek licensure and employment in a designated "meets" state/territory

- A check box or short automated form will not cut it
- Prospective student must identify one specific "meets" state in written (hardcopy or email) statement
- Unfortunately, this will not help military-affiliated or other prospective students who do not know the specific state/territory they will seek licensure and employment



**Note: This information should not be considered legal advice.
Legal questions should be directed to your counsel.**