



MIDWESTERN
HIGHER EDUCATION
— COMPACT —

Clarity on SARA Policy §5.2: Essential Updates for Licensure Compliance and Enrollments

April 29, 2026



MHEC Manager
of Policy and
Stakeholder
Engagement



Any resources
available will be
posted on the
MHEC website.



Engage with
colleagues in the
chat. Questions in
the Q&A, please!



Please
complete
our survey.

Kris Maul, JD

- Almost 20 years in licensure & higher ed compliance
- Research, analysis & curriculum comparisons
- Compliance processes and systems
- Board communication and advocacy
- Student and graduate support



Agenda

- SARA Policy 5.2
- Impacted programs and offerings
- Steps for compliance
- Strategies to get the rest of your institution on board

The information provided does not, and is not intended to, constitute legal advice; instead, all information, content, and materials provided are for informational purposes only. Risks to the university/college and students should be considered and evaluated with legal counsel prior to creating policies and communicating licensure information to prospective students/students.



SARA Policy 5.2

SARA Policy 5.2 Programs leading to professional licensure

NC-SARA board approves changes through their [Policy Modification Process](#).

As of July 1, 2025, [Policy 5.2](#) extends the Title IV professional/occupational licensure compliance requirements to non-Title IV programs* at Title IV participating institutions.

*Note: This includes any offering (even non-credit) designed or advertised for licensure that is covered by SARA

SARA Policy 5.2 Programs leading to professional licensure

Was in effect through June 30, 2025:

SARA has no effect on state professional licensing requirements. Any institution approved to participate in SARA that offers courses or programs designed to lead to professional licensure or certification or advertised as leading to licensure must satisfy all federal requirements for disclosures regarding such professional licensure programs under §34 C.F.R. 668.43. For SARA purposes, these requirements will also apply to non-Title IV institutions.

For SARA purposes, institutions that are unable, **after all reasonable efforts**, to determine whether a program will meet state professional licensure requirements shall provide the student or applicant with **current contact information for any applicable licensing boards**, and **advise the student or applicant to determine whether the program meets requirements for licensure** in the state where the student is located.

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Impacted programs and offerings

Licensure Programs

Licensure is umbrella term – certification, certificate, endorsement, authorization, registration, etc. **“Licensure” is anything that is designed or advertised for something State-issued that is required for employment.**

Designed

- Professional/curricular standards, including programmatic accreditors
- Is licensing exam data reported
- Expectation that most graduates will seek licensure

Advertised

- Program description in catalog and/or website
- References to license or licensing exam preparation or eligibility
- Claims about career opportunities that require a license

Examples of Licensure Programs

NC-SARA counsel and staff have indicated that 5.2 covers **any offering (even non-credit) designed or advertised for licensure operating under SARA.**

For example, these non-credit offerings generally are licensure programs:

- Phlebotomist
- Pharmacy Technician
- Real Estate Broker

Continuing education for already licensed professionals or offerings leading to private certifications are not included.

For example, these non-credit offerings generally are not licensure programs:

- Financial Planner (private certification)
- Construction Technology (municipal codes)
- Aviation Mechanic (federal FAA issued)



Steps for compliance

Step 1- Identify non-Title IV licensure programs/offerings

- Designed or advertised for something State-issued that is required for employment
 - Not private organization-issued, local/municipal-issued, or federal-issued
- Includes non-credit, from across the institution
- Includes offered via third-party
- Will likely require research to confirm if licensure exists in state where institution is located and where students are located
 - Academic partners, workforce team, third-party providers do not always know



Step 2 - Research and Compare to jurisdiction requirements

- **Locate, review and understand educational requirements** for licensure
- **Compare licensure programs/offerings** to make “meets” or “does not meet” determination
 - Potential order:
 - Start with where institution is located
 - Where any current student is located
 - Bordering jurisdictions and those desired for advertising/recruiting
 - Any other jurisdiction where students may be located
- Not a one and done – regular review required
 - Cadence of review and updating determinations not dictated
- **Documentation is important!**
 - How will institution defend “meets” determination?

Step 3 - Disclosures

Public Disclosures

“Meets” or “Does Not Meet” (“Undetermined” ok if not enrolling, recruiting or advertising)

- Add to existing webpage where Title IV programs listed
 - Link from workforce/non-credit webpages to public licensure disclosure webpage
- Working with third-parties
 - Link to public licensure disclosure webpage before/during registration
- Careful with career outcome language

Individual Direct Disclosures

For students located in “Does Not Meet” or “undetermined”

- Timing!
 - Prior to “initial enrollment”, but often no enrollment process for non-credit
 - Within 14 calendar days of *change*; of location or to “does not meet”
- Working with third-parties

Step 4 - Enrollment Restrictions and Written Attestations

NC-SARA counsel and staff have indicated that the requirements of Policy 5.2 include disclosures ([34 CFR § 668.43\(a\)\(5\)\(v\)](#) and [34 CFR § 668.43\(c\)](#)) and through reference PPA certification/enrollment restrictions/written attestations ([34 CFR § 668.14\(b\)\(32\)](#))

- **Students should be located in a jurisdiction where offering “meets”** educational requirements for licensure, at time of initial enrollment.
- If not located in “meets” jurisdiction, may still enroll if plan to seek licensure and employment in a “meets” jurisdiction.
 - Must provide written attestation to this effect prior to enrollment.



Written Attestation Considerations

Neither U.S. Department of Education or NC-SARA have provided specific directions or templates for written attestation exception. Focus on:

Process

- **Discuss** – does not meet state educational requirements where that student is located.
- **Interact** – with the prospective student to learn of the student's intent to seek licensure/employment in jurisdiction other than current location.
- **Offer option** – if program “meets” educational requirements where the student intends to seek licensure/employment, offering the student the opportunity for written attestation.

Documentation

Should include, at a minimum, **include affirmations** that:

- Institution and student interaction (process) occurred.
- Student was informed that the program does not satisfy educational requirements where the student is located per the student location policy.
- Student intends to seek licensure/employment in a specific named “meets” jurisdiction.
- Institution has determined that the program “meets” educational requirements in the jurisdiction that the student indicated that they intend to seek licensure/employment.

Written Attestation Considerations

- Timing!
 - Prior to “enrollment”, but often open registration for non-credit
- Working with third-parties
- Documentation
 - Sometimes non-credit learners are not in same system

Strategies to get the rest of your institution on board

Why do we need to do this?

- Because this is SARA Policy, in order to participate in SARA, must comply.
 - SARA participation allows enrolling students located in other jurisdictions, plus supervised experiences. Without it, would need to seek and secure approvals to operate in each U.S. jurisdiction.
- Consumer protection, and good student outcomes.
- Reduces other risks, including legal.



Third Party Providers

- Third parties often work with many institutions, offering the same curriculum.
- Third parties often develop and deliver curriculum.
- Third parties often handle registration/enrollment.
- **Ultimately, institution is responsible for compliance.**



Combating Overwhelm

- Engaging in this work can be overwhelming for everyone—especially at the start
- Break the work into more manageable, smaller steps
- Assemble a team
 - Internal partners
 - Third party providers
- Just get started!



BOTTOM LINE

Reasonable, defensible, documented policies and processes in place for SARA Policy 5.2

- Consult with your counsel!

Know your State Portal Entity (SPE) expectations

Resources

Find past webinars/convenings on [MHEC's website](#), including several on licensure compliance. Including:

[Preparing for NC-SARA Policy Changes: Essential Insights for Professional Licensure Programs](#)

[Navigating Professional and Occupational Licensure Requirements: What Community and Technical Colleges Need to Know](#)



The Licensure Lowdown is Higher Education Licensure Pros' newsletter and blog, delivering clear, reliable insights on licensure compliance, policy updates, and emerging trends impacting higher education.

[Join our email list](#) to receive expert guidance and timely updates straight to your inbox, so licensure requirements are clear and not confusing.





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- Expertly researched licensure requirements for all U.S. jurisdictions
- Over 80 license types available
- Regularly updated

Consultation

- Licensure Program audit
- Policies and processes
- Custom research
- Trainings and education

NC-SARA

[Professional Licensure Directory](#)

Includes links to Boards for five of the most common licensed professions.

WCET-State Authorization Network (SAN)

[Professional Licensure webpage](#)

Resources, whitepapers, and process documents for the public and SAN members.

Contact Us

Kris Maul

Nan Kalke

Emily Bogus

Allen Clarkson



in/kris-maul

/in/nankalke/

in/emily-bogus



(612) 242-9293

(612) 385-4231

(206) 595-9576

(517) 348-4699



kris@

nan@

emily@

allen@

HigherEdLicensurePros.com

Questions

References

ED Regulation: PPA Certification

34 CFR § 668.14(b)(32)

In each State in which: the institution is located; students enrolled by the institution in distance education or correspondence courses are located, as determined at the time of initial enrollment in accordance with 34 CFR 600.9(c)(2); or for the purposes of paragraphs (b)(32)(i) and (ii) of this section, each student who enrolls in a program on or after July 1, 2024, and attests that they intend to seek employment, the institution must determine that each program eligible for title IV, HEA program funds—

(ii) Satisfies the applicable educational requirements for professional licensure or certification requirements in the State so that a student who enrolls in the program, and seeks employment in that State after completing the program, qualifies to take any licensure or certification exam that is needed for the student to practice or find employment in an occupation that the program prepares students to enter;



ED Regulation: Public Disclosures

34 CFR § 668.43(a)(5)(v)

If an educational program is designed to meet educational requirements for a specific professional license or certification that is required for employment in an occupation, or is advertised as meeting such requirements, a list of all States where the institution has determined, including as part of the institution's obligation under § 668.14(b)(32), that the program does and does not meet such requirements;



ED Regulation: Individual Direct Disclosures

34 CFR § 668.43(c)

(c)(1) If the institution has made a determination under paragraph (a)(5)(v) of this section that the program's curriculum does not meet the State educational requirements for licensure or certification in the State in which a prospective student is located, or if the institution has not made a determination regarding whether the program's curriculum meets the State educational requirements for licensure or certification, the institution must provide notice to that effect to the student prior to the student's enrollment in the institution in accordance with § 668.14(b)(32).

(2) If the institution makes a determination under paragraph (a)(5)(v) of this section that a program's curriculum does not meet the State educational requirements for licensure or certification in a State in which a student who is currently enrolled in such program is located, the institution must provide notice to that effect to the student within 14 calendar days of making such determination.



Certification Procedures Q&A

