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February 2022 State Authorization Updates & Information [1]

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Hello everyone!

Although it's still a few months away, don't forget to mark your calendars! The 2022 reporting period for Fall 2021 exclusively distance education enrollments and calendar year 2021 out-of-state learning placements (OOSLPs) is from May 15, 2022, through June 15, 2022.

You can register for **NC-SARA's Data Reporting Webinar on March 10, 2022, from 11:30 AM to 1 PM**. This webinar will help SARA-participating institutions understand the guidelines for data reporting to NC-SARA. The presentation will review the 2022 Data Reporting Handbook, provide specific reporting guidelines, and include time for questions and discussion. This webinar is free and open to everyone, but registration is required if you want to participate.

NC-SARA's 2022 Data Reporting Handbook for institutions is coming soon, but in the meantime, here's some important information that NC-SARA has already shared:

- **Reporting Data from Branch Campuse**s: Originally, branch campus reporting was scheduled to be mandatory in 2022. However, to ensure that the guidelines and examples are clear and to give institutional staff more time to set up the necessary systems, NC-SARA has postponed this requirement for another year. There are no changes to reporting for exclusively distance education enrollments.
- **No changes** to the reporting guidelines for exclusively distance education enrollments.
- **No change**s to the criteria for reporting out-of-state learning placements.

For questions about NC-SARA's Annual Data Reporting, feel free to ask me, or you can contact NC-SARA directly at data@nc-sara.org [3].

Negotiated Rulemaking Season at the Department of Education

It's Negotiated Rulemaking Season at the Department of Education (ED). Just when we thought topics like State Authorization and Professional Licensure would be off the table this time, it seems we were wrong.

The ED is proposing to **remove the professional licensure notification requirement** (found in 668.43) and replace it with a much more stringent requirement under **668.14 (Program Participation Agreement)**. This would require institutions to ensure that their programs meet the educational (and possibly other) requirements for students to obtain licensure in a given state. In short, for an institution to provide federal financial aid, it must show that its program

meets the state's professional licensure requirements. For example, if a student from Nebraska wanted to come to Boulder to study Geology, but we hadn't determined or met Nebraska's educational provisions for licensure in Geology, we wouldn't be able to admit the student or allow them to access federal aid (Title IV) for the program.

Yes, seriously.

This proposal shocked and surprised all of us. While many of us can handle a high workload, the demands this would create—if it becomes reality—would be unmanageable for many institutions. Ensuring we meet the necessary educational requirements would require increased collaboration between academic departments, faculty, and financial aid offices—"yikes" is the mildest word I can use here.

Currently, this proposal (and others in this year's Negotiated Rulemaking) is still in the public comment phase. However, the fact that there are individuals pushing this forward suggests a misunderstanding of what institutions like ours are already doing. It may also be targeting a specific sector of higher education (read: proprietary institutions), but all institutions would have to comply, regardless of the sector. It also seems to overlook the fact that licensure rules are set by the states and licensing organizations, and they vary and change frequently.

What can we do right now?

Not much, as it's still in the public comment phase. However, if you'd like to listen in or participate in Session 2 (February 14–18), you can sign up [here]. Afterward, the negotiators will be "locked in a room" to hash out the details before a draft of the new rules is published. There will be multiple opportunities to voice concerns, particularly that this is a bad idea—one that could limit interstate education, reduce school choice, increase costs, burden licensing boards, and ignore the realities of a mobile and digital society.

The team at WCET has published a couple of blog posts on these issues, including the return of Gainful Employment and other potential policy changes. I highly recommend checking them out:

- 2022 Digital Learning Policy Preview, Part 1: U.S. Department of Education Negotiated Rulemaking [4]
- 2022 Digital Learning Policy Preview, Part 2: Federal and State Rules [5]

I promise that in March, I'll have something more fun—like "When is a Field Trip No Longer a Field Trip? Out-of-State Education Considerations." Until then, as always, feel free to reach out if you have any questions!

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