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February 2024 State Authorization Updates & Information [1]

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Good Morning, Everyone!

There’s so much going on, including a new way to receive these updates and emails, so I’ll be sending you several notes over the next few weeks to keep us all in the loop!

First up - Some SARA Housekeeping!

- **SARA Participation Fees** are going up this summer and will affect us in the next renewal cycle. System will continue to cover the participation cost, but this is a good opportunity to speak with those on campus who oversee distance/online education and micro- or alternative credentialing programs. Make sure they understand what SARA is, what our participation means for students, the associated cost, and that the system currently covers this cost.
- **NC-SARA Updates:** NC-SARA has updated its "seal of approval" and the accompanying text (a single sentence). Please update any website(s) where the logo is displayed. This is also a good time to review your state authorization page/notification.

Professional Licensure, Reciprocity & Compacts

Reciprocity is beneficial to a student seeking a degree in a program that leads to professional licensure, but it is not compliance. Reciprocity can serve as a substitute for complying with a particular state’s requirements *if all of the following are true:*

1. The student earns the Colorado (CO) state license for the occupation as part of the program.
2. There is a reciprocity agreement or licensing compact between CO and the state where the student wishes to practice for that profession/occupation.
3. CO belongs to the agreement.
4. The student's degree and license meet the necessary requirements to qualify for reciprocity.

For example, the Interstate Teacher Mobility Compact (ITMC) was designed to assist trained/licensed teachers by creating reciprocity among participating states to reduce barriers to license portability and employment. CO is one of 10 states that have enacted participation in this compact (effective August 2023), and six additional states have legislation pending.

What Does This Mean for Our Students? Consider a scenario where Boulder offers a BA in Elementary Education online to a student located in Kansas (KS). The program does not meet KS licensure requirements, but students who complete the program receive a CO teaching

license. Both CO and KS participate in the ITMC, so, under the new regulations (effective 7/1/24), Boulder can still deliver the program to the student in KS if the following occurs:

1. The student signs an attestation acknowledging that the degree will allow them to sit for the CO license, they will need to contact the KS Department of Education to apply for reciprocity, and they understand this is not a guarantee.
2. We include in the attestation that the KS Department of Education retains discretion to determine whether the applicant qualifies for a KS license.

Bottom line: *while reciprocity can provide a path for students, it's not a guarantee*. Many reciprocity agreements still permit state agencies to individually evaluate each application. Therefore, we cannot rely on reciprocity alone to claim compliance with a state's requirements. Licensure program materials should clarify that while reciprocity may enable a student to pursue specific state licensure after completing a program at our institution and passing the CO licensure exams, students should contact the relevant state agency for additional requirements (e.g., residency, fees, additional exams).

Further complicating matters, not all professions or occupations have compacts, and not all states participate in the compacts that do exist.

Licensure Compacts: A Key Distinction Unlike reciprocity, licensure compacts allow someone with a license in one state to practice across state lines without needing to apply for a license in another state. For example, if a student is licensed as a nurse in Utah (UT) and wishes to practice in Colorado (CO) under the Nurse Licensure Compact, the student's UT license allows them to do so without seeking a CO license. However, if that nurse moves to CO permanently, they must then apply for a CO license, as they would no longer fall under UT's jurisdiction.

The Key Question for Licensure Programs: Can you claim that your program meets a state's licensure requirements if both states are part of a compact? It depends. You can only say "yes" if your program independently meets licensure requirements in the other state. Regardless of the compact, the fundamental question remains: if a student graduates from your program, are they qualified to apply for licensure in the other state? This question is at the heart of compliance and required disclosures. Again, the responsibility for making the determination of applicability of the education is firmly on us. As the folks at MHEC (WICHE's counterpart in the Midwest) "it is incumbent upon the institution to make such a determination, with the institution held accountable, and potentially liable, for doing so erroneously."

Things that we should be working on in preparation for 7/1/24:

- Continue working on your research on licensure requirements and what pathways exist for students to obtain licensure - maintaining very specific information and documentation will be important as we go forward with these regulations.

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