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Happy June! Thoughts on July 1st and Notifications [1]

June 9, 2020 by erika.swain@cu.edu [2]

Good afternoon, everyone!

I just wanted to check in and say hello! Over the past few months, I've drafted several emails but kept getting pulled away for campus and academic COVID planning meetings. I hope you're all doing well and that we've weathered the worst of it. Boulder is doing what those in the restaurant industry would call a "soft opening" for the fall. We're trying to run things as close to normal as possible, but with extended scheduling hours (courses can run from 8 a.m. to 9 p.m.), smaller class sizes, bigger gaps between classes, some cohorts, and more online and synchronous video options for courses.

Honestly, my biggest sigh of relief came when the ABA moved to allow up to one-third of a legal education to be delivered via distance learning. We're still awaiting their final vote, but it passed through earlier committees without much discussion.

July 1st is approaching quickly, and with it the new regulations on professional licensure programs and notifications. I hope everything is progressing well as you prepare for this. As a reminder, failure to comply could jeopardize your university's access to federal financial aid (Title IV). How is your research coming along regarding various professional licensure programs and the applicability of education at your universities? For example, I've found that the PhD in Psychology at CU Boulder likely won't allow students to sit for the licensure exam in most states due to insufficient internship hours.

Don't forget that NC-SARA, in an effort to assist the higher education community, has branched out to help with professional licensure requirements by gathering a directory of the most common licensure fields and their respective state agencies. This provides a helpful head start for gathering the necessary information for our programs and notifications by offering contact details for all relevant agencies in these fields.

There was an interesting conversation on the WCET/SAN listserv about one aspect of gathering and disseminating information. In a discussion about some of the language in disclosures, I mentioned that for CU Boulder's teaching degrees, we were stating that we don't meet other states' requirements for licensure. A colleague from Truman State thought the intent of the new regulations meant that if we admit students from other states, we should also explain why or how a program may not meet their state's licensure requirements. The Deputy General Counsel from the University of Phoenix then noted, "If students from other jurisdictions are able to enroll and you don't restrict that, you must ensure your program meets the licensure requirements in their state, inform them about it, or tell them that it doesn't meet the requirements."

While I have great respect for the University of Phoenix in terms of state

authorization—they've been dealing with this for much longer than the rest of higher education—and I agree with both the Deputy Counsel and the Truman State representative, I do so with a caveat.

I agree that the intent of the regulation is for institutions to provide students with enough information to make an informed decision about their education. However, the regulatory language doesn't specifically require us to disclose the exact state educational requirements we're not meeting, only that we inform students whether we meet, do not meet, or are unsure about the requirements in their state. That being said, there's no reason not to provide this information if we choose to. In fact, being able to disclose specific details about unmet requirements could even be advantageous from a marketing perspective.

However, I think we need to consider the institution's mission and the program's intended audience. For example, CU Boulder's teacher education programs are not offered via distance learning, and our students rarely, if ever, leave the state for student teaching. We're not recruiting students from outside Colorado, so stating that we don't meet licensure requirements in other states seems to be the most prudent approach for this program. Does that logic extend to our other professional licensure programs? It depends on the program, the intended audience, the modality, etc.

I re-read the relevant section of the Federal Register (Vol. 84, No. 212, pages 58884-58888) [3] , which discusses 668.43, and the Department notes that institutions must "advertise true and factual statements about their programs," and that they "expect institutions to accurately and truthfully provide that information in the required disclosures." For this particular program (teaching degrees), and this specific disclosure, we are adhering to that intent (p. 58886).

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