

June 2022 State Authorization Updates ^[1]

June 2, 2022 by erika.swain@cu.edu ^[2]

Hello!

I hope the SARA data report for your campus has been completed, and that you're settling into what will (hopefully, LOL) be a quiet summer as we work on our various projects, reviews, and tackle those post-it notes scattered around our offices (or is that just me?).

The Rocky Mountain State Authorization Support group will be meeting again at the COLTT conference (August 3-4) this year. Information on the state authorization portion of the event will be coming from Heather DeLange at CDHE in the next week to those of you on her contact list. If you don't receive anything, let me know, and I'll make sure you get the information if you'd like to attend. This year, we'll be focusing on **State Authorization Compliance 2.0**—looking beyond the basics and how to maintain your compliance program.

State authorization and out-of-state education

I've been wanting to discuss this earlier in the year, but with everything coming from the Department of Education and other agencies, I haven't had the time. June seems like a great time to revisit it: Let's take a minute to look at state authorization and out-of-state education—when is it part of SARA, and when do you need additional approvals? What if it's more than a field trip but less than a short course? While participation in SARA allows us to deliver online education in other states and territories, it also provides some allowances for on-ground education outside of Colorado. But how much? You all know the answer—say it with me now: **It depends!**

Here's a breakdown:

Field Work: What it's not—it's not geologists heading to Wyoming for the day to look at rocks, nor is it archaeologists spending a few days in Utah looking for dinosaurs. Field Work, as defined by the NC-SARA Policy Manual, refers to full courses like clinicals, practicum, or student teaching placements. We report these annually in our SARA Data report. But what about those short 10-hour trips to Wyoming for sedimentary deposits? These are defined by NC-SARA as either **Field Trips** or **Short Courses**:

- **5.3 Field trips and seasonal residential activity:** SARA covers class field trips that do not involve multi-night residency across state lines among member states.
- **5.4 Short courses and seminars:** Physical presence under SARA is not triggered if instruction provided for a short course or seminar takes no more than 20 classroom hours in a six-month period. Class meetings during a full-term course do not trigger physical presence if the instructor and students physically meet together for no more than two meetings, totaling six hours or fewer. Apparent abuses of these provisions may be reported to the home state by concerned institutions or others.

What does this look like in a practical application? For non-term classes (e.g., summer or winter courses), as long as we keep it under 20 classroom hours per class (in a six-month period), we're covered by SARA. For traditional term classes, we avoid triggering the physical presence rule if faculty and students meet no more than twice, totaling six hours or less.

Example: At Boulder, we have a course called Medicine in Space and Surface Environments that travels to Hanksville, UT, and uses the Mars Desert Research Station for both lectures and hands-on learning. They're there for seven days—longer than a field trip but shorter than a short course. I spoke with Cyd Grua at USHE about what she might need from us, and she noted that for courses like this, where there's some out-of-state activity in a gray area, she generally doesn't require anything. (She also mentioned that our students would likely double Hanksville's population!). Be warned however – this is the answer from UT and UT only. While the reciprocity agreement was meant to bring regularity to the various state requirements, the states are still able to apply them as they see fit. I suspect if I had this same conversation with NV I would get a slightly different answer.

Does this trip the physical presence definition under SARA? I spoke with Jeannie Yockey-Fine, General Counsel at NC-SARA, and she agreed that oversight would come from the state agency. We also jokingly decided that as long as faculty and students don't talk shop while crossing state lines, we're avoiding the two-meetings rule for Short Courses (kidding! ...sort of). Moral of the story – It does indeed depend! Always check with the individual state and do not make assumptions based on past actions or examples! Clear as mud!

Lastly (finally, right?), there are several new resources and presentations I want to share with you all. These include resources from WCET-SAN's Special Interest Team on Professional Licensure, which covers counseling and psychology programs and the variations in licensing across the U.S. There are also examples of tools and disclosures that various institutions use for professional licensure programs and statuses, as well as a soon-to-be-released checklist for beginners starting their compliance programs related to professional licensure. WCET-SAN will release the checklist later in July, but you get an advance copy!

I'll be on vacation for the next two weeks, but if there's a state authorization emergency (you laugh, but 100% happened once in accreditation), feel free to reach out! I'll still be lurking online—the Department of Education loves to drop proposed regulations on the Friday before a holiday weekend...

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