

UPDATE NEWSLETTER

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Sloan-C, UPCEA and WCET partner on state authorization policy recommendations

For the first time, WICHE Cooperative for Educational Technologies (WCET) partnered with the University Professional & Continuing Education Association (UPCEA) and the Sloan Consortium in providing recommendations on federal distance education policy.



They stated their positions in a letter delivered to Secretary Arne Duncan of the U.S. Department of Education. In the letter, they addressed the upcoming state authorization regulations that the Department is expected to release for public comment this summer. ([Click to view letter.](#))

Their hope is to influence the process prior to the Department publishing the regulations for public comment. In the letter, these organizations:

- Acknowledge the federal court's recognition that the Department has the authority to issue such a regulation.
- Express concern that the Department's intent to ask states to change their review procedures will cause confusion and added costs for students.
- Present recommendations including the Department return to the 2010 proposed regulation that specified the Department would simply confirm colleges are following state laws. In addition, they also supported military exemptions (for active duty soldiers, their families and Veterans Administration facilities), an exemption for institutions with only a few students in a state that would work better than the one currently in draft, and a requirement for notifying students about licensure requirements. The organizations also suggest the Department work more directly with states if it has concerns about existing state regulations and new federal regulations that would conflict with state requirements.

Individuals instrumental in the work of these recommendations includes leadership that co-sponsored the letter: Mollie McGill and Russell Poulin (WCET), Kathleen Ives (Sloan-C) and Robert Hansen (UPCEA). Additional support came from the Distance Education and Training Council, National Council for State Authorization Reciprocity Agreements, Presidents' Forum and the United States Distance Learning Association.

The organizations understand that not all institutions will agree with every recommendation. They balanced several factors in their decision-making efforts, including: existing state and federal laws, the Department's need to protect federal financial aid funds, institutional burden in compliance and protecting students as consumers. The impact on students was paramount in their considerations.

The organizations invite institutions to weigh in with their opinions to create a greater impact. This can be done now by using language from their letter. If preferred, institutions can wait until the proposed regulations are published (most likely in July) and submit reactions to specific language then. Or both can be done.

Address reactions to:
The Honorable Arne Duncan
Secretary of Education
Office of the Secretary, United States Department of Education
400 Maryland Avenue S.W., Room 7W301
Washington, DC 20202

NC-SARA open letter to NCLC

Staff members of the National Council for State Authorization Reciprocity Agreements (NC-SARA) have written an open letter ([click to view](#)) to the National Consumer Law Center (NCLC) in response to a report, "Ensuring Educational Integrity: 10 steps to improve state oversight of for-profit schools" that NCLC published June 18, 2014. SARA staff consider the report valuable for advancing a shared agenda – the necessity to ensure good protections for students as consumers; however, they believe the report contains some misunderstandings about SARA and have written an open letter to address them. SARA is a nationwide initiative of states designed to make distance education courses more accessible to students across state lines and make it easier for states to regulate and institutions to participate in interstate distance education. SARA is funded by a \$2.3 million grant from Lumina Foundation.

The NCLC report states that, "the need for strong state oversight of the for-profit higher education sector has never been greater and is critically important because both Congress and the U.S. Department of Education have explicitly left the student protection role to the states." In response, SARA staff note that SARA allows no exemptions from home state responsibility for the enforcement of standards—providing a significant net increase in state oversight responsibility and student protection for many distance education courses.

The National Council for SARA has specific standards for all participating institutions, which require appropriate institutional behavior regarding:

1. Veracity of recruitment and marketing materials;
2. Accuracy of job placement data;
3. Accuracy of information about tuition, fees and financial aid;
4. Complete and accurate admission requirements for courses and programs;
5. Accuracy of information about the institution's accreditation and/or any programmatic/specialized accreditation held by the institution's programs;
6. Accuracy of information about whether course work meets any relevant professional licensing requirements or the requirements of specialized accrediting bodies;
7. Accuracy of information about whether the institution's course work will transfer to other institutions; and
8. Operation of distance education programs consistent with practices expected by institutional accreditors (and, if applicable, programmatic/specialized accreditors) and/or the [Interregional Guidelines for the Evaluation of Distance Education](#), adopted in 2011 by the Council of Regional Accrediting Commissions. (All SARA institutions will agree to comply with those [Guidelines](#).)

Any institution that fails in its duty to abide by SARA standards will not be allowed to continue in the initiative. Home states must enforce the standards and there are no "exemptions" based on accreditation.

Upcoming Presentations

State Higher Education Executive Officers Association (SHEEO)

Annual Meeting

July 11, 2014

Boise, Idaho

Council of State Governments: Midwestern Legislative Conference

Annual Meeting

July 13-16, 2014

Omaha, Nebraska

Council of State Governments (CSG) Eastern Regional Conference

August 4-5, 2014

Baltimore, Maryland

State Higher Education Executive Officers Association (SHEEO)

Higher Education Policy Conference

August 7, 2014

Denver, Colorado

Council of State Governments

Annual Meeting

August 10, 2014

Anchorage, Alaska

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**National Council for
State Authorization Reciprocity Agreements**

A voluntary, regional approach to state oversight of distance education