State Authorization for Distance Education: The Future for REGULATIONS
Webcast Chat Log

PowerPoint Slides

07:57 to: Matt Bycer
What of Kansas?

07:57 to: Kelly
What is the list of states for "for-profit" school?

08:32 to: Kelly
Is there a key to that map?

08:48 to: Lesli Terrell-Payne, Georgia Highlands College
Our college (in GA) is only a half hour from Alabama--so if we have an online student that lives in Alabama but may take a class on our campus, do we need approval?

08:53 to: Russ Poulin, WCET
The colors on the prior pages are the key to the map.

09:02 to: Justin Mays
This site gives you a good breakdown - http://sheeo.org/sheeo_surveys/

11:26 to: Megan Raymond, WCET 1

13:51 to: Jennifer Lackie-Arkansas Tech University
I know that an institution should have state authorization from the 50 states and territories. Our institution is currently working on Puerto Rico and District of Columbia. Does it also include Virgin Islands, Guam, etc..?

14:01 to: Amy Brandon - Ball State University
If there is time to address this question, it would be appreciated. On slide 11, why were those states listed as requiring approval? I thought there were more states requiring approval and wasn't sure of the connection with the states listed on that slide.

14:21 to: Jason Piatt-Kent State University #2
Good question Jennifer - and what about Canadian Provinces
Yes, great question....I have added it to the list...anyone...any other questions?

These issues seem to be more applicable to universities. Do they also apply to community colleges?

I don’t follow the threat of a non-distance program advertising in a different state. If a student from Massachusetts chooses to attend an on-campus program in Oregon, for example, they are our student. My understanding was that if they still SIT in Massachusetts while TAKING an online course, that is where the problem lay, not if the student moved to Oregon to take brick and mortar classes in Oregon. Is this not correct?

Can I infer that states that are yellow or pink on the map mean that these states are concerned with only online programs, not any f2f programs where students might be participating in a learning experience in a non-home state?

Can NY participate in SARA?

Can you share what the MA changes are?

Jennifer - you need to pay attention to the regulations of any location (territory, protectorate, foreign country) where you serve students.

Camille - I believe that NY is not planning on joining SARA, but am not sure.

Can physical presence be triggered by online adjunct faculty residing in a state?

Thanks Jason

Yes Julie - depending on the state
17:44 to: Jason Piatt-Kent State University #2
   But don't quote me on that LOL

17:47 to: Lesli Terrell-Payne, Georgia Highlands College
   GA

18:03 to: Kathleen Rund-Fordham University
   Would you contact state licensing board in a certain state before attempting to apply for state authorization...this is for social work?

18:18 to: Lesli Terrell-Payne, Georgia Highlands College
   We are a 2 year community college.

18:23 to: Pam Morgan Midwestern State University
   When speaking with a state in last few weeks, they were very negative about reciprocity agreements saying, DOE has not said reciprocity agreements will even be allowed.

18:26 to: Scott Schneider - Clarke University
   Do hybrid programs require authorization in states requiring online programs to register?

18:38 to: Russ Poulin, WCET
   Community colleges are covered by these laws as well.

18:51 to: Christopher Soran - Tacoma Community College
   What states trigger a physical presence if an online adjunct instructor lives there?

18:53 to: Jason Piatt-Kent State University #2
   Pam--I have heard that as well - DOE has not 100% said that.

18:54 to: Karen Cross
   Can we see a quick overview of the slides?

18:58 to: SREB - Mary Larson
   Georgia institutions can anticipate in SREB's EC Reciprocity Agreement - but should contact SREB staff for additional information -

19:12 to: Amy Brandon - Ball State University
   The next slide

19:24 to: Evan S
   For hybrid, see state's rules on phys presence.

19:34 to: Lynn Bernardi
If the student lives on campus but came from another state, do we need to be authorized in the state that they came from?

19:35 to: Kate Lenert, MUSC
That is slide 10 not 11

19:41 to: Jessica Kelly-Shaib (MEAC)
In re: consequences for noncompliance, how common is it for schools to be "caught?" Are certain states more likely than others do enforcement?

19:47 to: Kristen Brown (University of Louisville)
The response regarding the GA institution and AL student doesn't make sense. If the student is traveling from AL to Georgia for classes and the institution is in GA, why would they need to apply for authorization in AL? The student is not taking classes in GA.

19:51 to: Megan Raymond, WCET 1
If you are just joining us, you can access the slide deck here http://wcet.wiche.edu/wcet/docs/webcasts/2014/StateAuth-Regulations/RegulatorySlides.pdf

20:48 to: Amy Brandon - Ball State University
My question was not addressed because she referenced slide 10 vs. slide 11.

20:49 to: Amy Brandon - Ball State University
If there is time to address this question, it would be appreciated. On slide 11, why were those states listed as requiring approval? I thought there were more states requiring approval and wasn't sure of the connection with the states listed on that slide.

21:02 to: Elizabeth Hagovsky (University of Delaware)
Is there a resource for the education licensure boards among all states?

21:17 to: Jo Ann Mattson - Fontbonne University
Do you have links to the Canadian prov. like SHEEO to check with each prov regulations?

21:48 to: Eric Fredericksen
Russ - thank you very much for all of your work and the information sharing about this important topic!

22:03 to: Lesli Terrell-Payne, Georgia Highlands College
@Kristen from Louisville: my question was actually if we had a student from AL that primarily takes online classes from us but decided to come to campus for a f2f class, would we be required to get authorization

22:14 to: Jason Piatt-Kent State University #2
Jo Ann - maybe SHEEO should add Canadian Provinces.

22:18 to: Hazelden Graduate School of Addiction Studies
How does an institution get approval to offer classes to U.S. military members stationed overseas?

22:18 to: lisa_rosenberg@rush.edu
If a state is in the process of creating a portal and applying to SARA for approval, how should an institution proceed with applying for approval in that state?

22:51 to: Al Lind - KYVC
Russ, why could agreement with US DOE not be reached?

22:58 to: Kristen Brown (University of Louisville)
Kathleen Rund at Fordham, if you ask the regulators, they will tell you what you need to do for SW programs. We offer an MSSW online and (as a public institution) have not had to contact any SW licensing boards, and we have only about 15 states left to work through. We advise the students to contact the licensing boards to be clear on their own state’s licensing requirements.

23:01 to: Barbara Zirkin, Stevenson University
Are there any alternatives to SARA if your state won't join?

23:31 to: Lesli Terrell-Payne, Georgia Highlands College
@Mary Larson, SREB: I am going to follow up with our compliance office and may be in touch.

23:45 to: Kristen Brown (University of Louisville)
Lesli Terrell-Payne - a ha. Thanks for clarifying. I was so confused!

26:21 to: Jo Ann Mattson - Fontbonne University
Yes, Jason that would be helpful if SHEEO would add the Canada Prov.

26:47 to: Barbara Zirkin, Stevenson University
Didn't vacated mean vacated for Federal purposes but state rules still apply?

27:01 to: Evan S
SHEEO has Enforcement tabs.

27:40 to: Alexis Banks-CSU
Barbara, you're correct.

29:43 to: Ashley Stettler
"Active Duty military and families exempt" should institutions be turning down military students who are stationed in states where we are not authorized?

31:30 to: Al Lind - KYVC
Was there consensus on slide 35 issues?

31:36 to: Kristen Brown (University of Louisville)
Ashley - here is a great handout from WCET regarding this issue: http://wcet.wiche.edu/wcet/docs/talking-points/WCETTalkingPoints-State-Auth-Military-Nov2013.pdf

31:54 to: Kate Lenert, MUSC
Knowing where a student lives is challenging. When? when they enroll? what if they move 3 weeks or 2 years into a program to a state you are not authorized in?

32:12 to: Hang Pham-National University
Good question Kate.

32:21 to: Lesli Terrell-Payne, Georgia Highlands College
@Kate Excellent point.

32:30 to: Hang Pham-National University
We have the same issue.

32:38 to: Amy Brandon - Ball State University
As do we.

33:18 to: Evan S
Kate--states very on AY covered even in renewals and some want only current residents. Hence the motto IT DEPENDS. :)

34:16 to: Kristen Brown (University of Louisville)
We have students confirm their actual living residence at the start of each term before they register, but you are right, we still do not know for sure. We had a student move to Maryland (military member got stationed there) but we aren't authorized there. We found out because the graduate program advisor notified us but I had to inform them that we aren't authorized there.

34:20 to: Jason Piatt-Kent State University #2
Russ—will change in administration after the 2016 national election really change the whole State Auth landscape or will feds be feds and this will just keep moving ahead?

34:23 to: Hang Pham - National University
So as of right now we have to be in compliance by July 2018?

35:19 to: Barbara Zirkin, Stevenson University
How is the any different from the beginning in October 2010. We always assumed we needed to comply with the states.

35:26 to: Scott Schneider - Clarke University
@Hang Pahm - it's up the states at this point.

35:35 to: Hang Pham - National University
thanks, Scott

35:38 to: Kelly
Does this mean SARA is on pause?

36:03 to: Evan S
No, SARA is still underway.

36:30 to: Scott Schneider - Clarke University
SARA is not paused. Many states are at various points of legislation and organization.

37:58 to: Jason Block, UNC Chapel Hill
@Barbara Zirkin: Maryland is part of the SREB’s agreement. We used the agreement to get access to Maryland students. It’s very useful.

38:06 to: Barbara Zirkin, Stevenson University
Can someone discuss the issue with online students serving in the military?

38:59 to: Susan Hampson #2
What about students who have an out of state address, but are in my state, yet still taking an online class in addition to on campus classes?

39:21 to: Evan S
@barbara, a military talking pt URL is above.

39:23 to: Kate Lenert, MUSC
Thanks Russ. That helps a lot
39:37 to: Hang Pham-National University
  thank you, Russ!

40:01 to: Megan Raymond, WCET 1
  @Barbara Zirkin, WCET is having a WCET member webcast on state auth for
  military students  http://wcet.wiche.edu/connect/state-auth-military-students-
  navigation

40:08 to: Evan S
  A big issue is WHO does the enrolling and WHEN!

42:20 to: Russ Poulin, WCET
  The full report can be found here:  http://wcet.wiche.edu/advance/upcea-wcet-
  survey

43:41 to: Barbara Zirkin, Stevenson University
  @Jason Block:  I knew that but the program through SREB only applies to students
  interested in programs not offered in the home state.

44:39 to: Steven Carter - UNC Charlotte
  By advocating having a "clear policy" is Russ saying that we should inform students
  up front that if their residential conditions change, we cannot guarantee that they can
  continue in our program?  I

44:39 to: Steven Carter - UNC Charlotte
  Just had a student move to Louisiana, where we are not authorized.  I spoke to the
  regulator who told us we would have to go through the regulatory process in order to
  allow the student to continue.(Teach out is apparently not an option.)  The cost for
  application will exceed the amount of tuition paid by the student.  The student's
  move to another state was not her decision.  Her spouse was transferred.  I'm not
  sure what we can/will do for her.

45:14 to: Al Lind - KYVC
  Does anyone know of any institution that has been penalized for non-compliance?

45:35 to: Laura 1
  My question, is that now that we have applied to all states and received
  authorization in most.  What steps or processes need to be taken to ensure that our
  authorization is still current with any changes?  It seems to be a very passive
  process and changes are never communicated to the institution from the state.

45:36 to: Russ Poulin, WCET
  Steve - By law you are already expected to inform students about which states you
  are authorized.
45:49 to: SREB - Mary Larson
   Jason there are several programs the ACM is for students seeking instate tuition for
   programs not in the home state. SECRRA is a different program tied to the
   Electronic Campus.

45:51 to: Ashley Stettler
   We (Eastern Washington University) were informed last year that we were out of
   compliance in MD, but we were not penalized. We had to stop activity there.

46:56 to: Teresa
   Because of the costs, we have made the decision to not pursue authorization in
   some states. Does that make us not in compliance?

47:04 to: Janet Staderman - UC
   Iowa passed a SARA law but it includes an Iowa-resident financial protection
   enforcement provision that is a violation of SARA policies. How will states that have
   similar refund policies; specific Gen

47:04 to: Janet Staderman - UC
   Ed requirements; financial responsibility policies (MD, KY, NC, etc.) become
   compliant with SARA? Or will they simply not be able to join?

47:06 to: Steven Carter - UNC Charlotte
   Russ - We do that. But is that sufficient?

47:09 to: Russ Poulin, WCET
   Ashley - Many states will work with you if you suddenly find that a student has
   moved into their state. Not all...but being open about what happens will sometimes
   work.

47:36 to: Evan S
   For an online program, YOU and WE also vary in meaning; work with grad school,
   admissions, etc., etc.

48:16 to: Russ Poulin, WCET
   Steve - as to "sufficiency" - it is a defense. Nothing is ever guaranteed to protect
   you in all cases.

49:11 to: Cara Cochran 1
   Based on what I am reading, we may need clarification between authorization and
   exemption. It is one thing to seek authorization, but to do due diligence, it is wise for
   the university to determine from which states it is exempt from seeking authorization.
I had a student moving out of state during their last two quarters, I contacted the state and they said it was okay for him to complete his degree. Sometimes a state will work with helping the student finish their degree, just ask directly and supply them with all pertinent information. Many states are willing to work on a per student basis.

@Cara, also some states say "register[ed]" and other words...

Good points - I wish the Feds could force states to standardize their language

Susan, MD told us much the same thing about military. We tried to get them to email that to us so we had it in writing, but have had no luck. Would be nice to know which states are willing to work with institutions who have students that are already started in a degree program and move into their state.

Maryland is so very difficult.

If the Feds intervened, would we be discussing this? :)

If the Feds intervened would we be happy with what they would require?

Good point, Russ.

True Russ

Still need more clarification on sending on-site resident students (not Distance Ed students) to other states for clinical/medical clerkships

Ashley, the state was Texas and Minnesota was willing to also work to teach out a student, but the student did not go through with it. Minnesota was much tougher.

Be careful what you ask for..... :-}
52:55 to: Kim Verneuille - MS - Commission on Proprietary Schools
  My thoughts exactly Russ!

53:25 to: Charlotte @ Antelope Valley College
  What is meant by "on-ground" rule

53:47 to: Cara Cochran 1
  Good question, Charlotte. I need clarification on that, too.

54:10 to: Russ Poulin, WCET
  "On-ground" means the state auth regulations for states to regulate institutions WITHIN their own state. So what Ohio needs to do to regulate the U of Dayton.

55:19 to: Evan S
  "Online" is not even used consistently. Phys. presence is often the hard part.

55:19 to: Russ Poulin, WCET
  Blog on the difference between the on ground and distance ed rules from Jeannie’s colleague Greg Ferenbach: http://wcetblog.wordpress.com/2014/02/14/untangling-two-state-authorization-rules/

57:44 to: Jo Ann Mattson - Fontbonne University
  Why are states joining SARA and institutions are apply and paying fees to join those states when SARA is on hold and hasn't gotten Federal approval

57:53 to: Mary Nicholson - Bloomsburg University
  Has anyone addressed "virtual internships" - where students residing in a state complete a virtual internship with a company in another state. All communications are electronic and there are no physical site visits.

58:15 to: Evan S
  Consider your own inst. reorganization--who can do what, etc.

58:46 to: Jason Piatt-Kent State University #2
  True Evan...we are moving forward and I am basically building an infrastructure to be able to do SA

58:48 to: Susan Hampson #2
  What about competency based programs, are they considered "distance Education"?

59:00 to: lisa_rosenberg@rush.edu
  Does anyone have an idea of an average timeframe from when a state bill has been signed to institute SARA and subsequent SARA approval for that state?
Washington State, where I am located was approved in April and I am just now getting paperwork to join our state SARA.

I think I know the answer, but do marketing activities at national association meeting count as an in-state activity for authorization purposes? This question comes up often.

Jo Ann - It's been highly beneficial to be in a SARA state. Since I'm in IN which is a SARA state and when I went to get approved in Washington which is also a SARA state, I did not have to do anything since both Indiana and Washington are SARA states. As a participating institution in Indiana, other states like Kansas automatically approved us.

Thanks Amy

Jo Ann - SARA is not on hold. The states still expect your institution to be in compliance even without the federal regulation. Once the Department of Ed has a regulation, it will definitely recognize SARA as a means to meet their requirements.

If a college is exempt, are we authorized if there are no trigger activities?

@Barbara, It depends on online degree recruiting and the state--see GA rules, for ex.

Can you name what 12 states require approval for D.E. w/o physical presence?

Barbara - We had a faculty member wanting to advertise one of our programs at a national conference being held in a state in which we were not authorized. I confirmed with the state (Oregon) that we were NOT allowed to set up the booth even though our target audience was not state-specific.

Karen Cross
Please explain what it means to be a SARA state.

1:04:05 to: Ashley Stettler
Is there any way to get around the Bond requirements? It seems like if we are accredited and can show fiscal reliability the bond is just not necessary

1:04:20 to: Evan S
Not all have catalogs in this online era exc. as PDFs. Online site may not be same as Grad School site, etc.

1:04:42 to: Andy Black-UofUtah
Where can we find the list of states that have applied to be a part of SARA and which have been accepted?

1:04:50 to: Barbara Zirkin, Stevenson University
@Steven...thanks...I'll pass that info along to our people here.

1:05:01 to: Evan S
NC-SARA site @andy.

1:05:02 to: Jason Piatt-Kent State University #2
I wonder if the SARA site has that info?

1:05:13 to: Jennifer Lackie-Arkansas Tech University
@Andy Black... nc-sara.org will list that. There is a map at the bottom of the screen

1:05:14 to: Amy Brandon - Ball State University
http://www.nc-sara.org/content/sara-state-status

1:05:52 to: Erika Linden - Des Moines University
Kate - re: resident students going across state lines for a clinical rotation, some states definitely regulate this activity. Please contact me if you want to discuss erika.linden@dmu.edu

1:06:54 to: Tom Dolan - Texas Tech University
Could SHEEO include "Disclosure by State" in their annual survey?

1:07:01 to: Sue Ann Hochberg
Doesn't SARA take care of much of this??

1:07:38 to: Barbara Zirkin, Stevenson University
Almost wants you to give up online programs and teaching. No one pays this much attention when a student crosses into a state to take a degree at a bricks and mortar campus!
1:07:43 to: Scott Schneider - Clarke University
   Sue Ann - it does, but many states aren't there yet.

1:08:04 to: Hutchinson Comm. College
   Where can we find the list of states that have applied to be a part of SARA and which have been accepted?

1:08:54 to: Scott Schneider - Clarke University
   Hutchinson Comm College - http://www.nc-sara.org/content/sara-state-status

1:08:57 to: Evan S
   When we're still 13 colonies, there is no USA (yet). :)

1:10:20 to: Anna Khamsamran-National College of Midwifery 1
   Do these apply to non title-IV schools?

1:10:57 to: Shari Miller
   Does anyone have a list of state refund policy requirements? Is Maryland the most strict?

1:10:58 to: Matt Bycer
   Jeannie, can State Boards require higher fees for out-of-state institutions? Does this violate the 14th Amendment (Privileges and Immunities clause)?

1:11:10 to: Russ Poulin, WCET
   State regulations apply to all colleges. Title IV is a federal designation and states don't care about that.

1:11:14 to: Hutchinson Comm. College
   Iowa

1:11:51 to: Janet Staderman - UC
   Georgia

1:12:00 to: Joel Tobin - Franklin University #2
   Shari, see Franklin University's webpage re: refund policies. It is comprehensive and up to date.

1:12:54 to: Karmen McNeil-NCCCS
   Does State Auth. require non-credit online courses to be approved?

1:13:24 to: Diane Vigil-Hayes-NMHED
   New Mexico does require licensure due to physical presence triggers such as faculty teaching within NM, and internships.
1:14:11 to: Dave  
@Karmen, IT DEPENDS :-)  

1:14:15 to: Russ Poulin, WCET  

1:14:41 to: Kathleen Rund-Fordham University  
Is there contact info to reach Jeannie Yockey-Fine after this webinar?  

1:14:59 to: Megan Raymond, WCET  
Yes, contact info is posted on the slides  

1:15:04 to: Megan Raymond, WCET  

1:15:12 to: Maureen Breed - Syr Univ  
A related question re. military. If the student has an APO address, my understanding is that they are living out of the country. So we don't need to figure out a way to count them in a particular state -- correct?  

1:15:19 to: Kelly  
Is there a list of states that require authorization for for-profit schools? The initial slides addressed private/ non-profit.  

1:15:27 to: Rhet Cantrell - Air Associates of Kansas  
I know there are just a few SARA approved states as of yet; however, is there an average time it is appearing to take for a state to move from State legislature/Governor approval to full SARA approval?  

1:15:27 to: Rhet Cantrell - Air Associates of Kansas  
Just to give us a general idea of when we might see approvals occur in target states. Thanks.  

1:15:45 to: Dave  
@Maureen, MD TELLS  

1:16:00 to: Evan S  
SARA depends, too, on need for legislation, timing of that body, etc.  

1:17:03 to: Kate Lenert, MUSC
Practicums are not always the same as clinical internships, such that they may be similar to the work you would do for PhD dissertation. How do states make that distinction or (I expect) you need to ask each state?

1:17:41 to: Ashley Stettler
Kate- The SHEEO Surveys site is really good clarifying that kind of thing

1:17:52 to: Evan S
@Kate, see MU Nursing site--DNP vs. Phd, latter rarely requiring clinicals.

1:18:11 to: Jane - Seattle University
Is there a list anywhere of states that have said they definitely will not be a part of SARA?

1:18:32 to: Russ Poulin, WCET
SHEEO site: [http://www.sheeo.org/node/434](http://www.sheeo.org/node/434)

1:18:51 to: Megan Raymond, WCET 1
Keep the questions coming, if we can’t get to them all we will have the presenters provide written responses.

1:19:04 to: Evan S
@jane If so, it'll be on NC-SARA site.

1:21:00 to: James Andrew - WTAMU 1
Does a physical presence for one program serve as a trigger for all programs or just the program that contains the trigger?

1:21:35 to: Megan Raymond, WCET 1
Reciprocity webcast on Tues, 19th
[https://cc.readytalk.com/cc/s/registrations/new?cid=c0fu2wqi3cy2](https://cc.readytalk.com/cc/s/registrations/new?cid=c0fu2wqi3cy2)

1:21:39 to: Joel Tobin - Franklin University #2
State authorization is about the institution, James - not programs.

1:21:44 to: Texas State University
For clarification, if an out-of-state student from a state that requires authorization for programs with a practicum is enrolled in an online program, is that student not allowed to travel to the state of the institution offering the program for the practicum, for the purpose of maintaining compliance with state authorization?

1:22:31 to: James Andrew - WTAMU 1
Thanks Joel

1:22:51 to: Evan S
DC is a "state."

1:22:52 to: Tom Dolan - Texas Tech University
James Andrew - my understanding is that there are only a handful of "by program" states. Most are "any physical presence - even by one program" triggers need for "institutional" authorization.

1:23:17 to: Jason Piatt-Kent State University #2
Evan - I always thought they were not a state

1:23:27 to: Jason Piatt-Kent State University #2
but a District

1:23:34 to: Jo Ann Mattson - Fontbonne University
Can you discuss Canadian Prov here too

1:23:49 to: Evan S
For St Auth, DC = state to seek approval in.

1:24:02 to: Jason Piatt-Kent State University #2
EVAN-RIGHT

1:24:05 to: lisa_rosenberg@rush.edu
There have been a few questions that I believe are seeking guidance on a strategy of whether to wait for states that have passed SARA legislation but have to be approved vs. seeking the individual state authorization in the interim.

1:25:03 to: Evan S
Comply until SARA is in effect @lisa

1:25:04 to: Julie Coltharp - Drury University
? Can marketing and recruiting of students (think athletes) outside of the home state constitute a physical presence trigger?

1:25:23 to: Evan S
@julie--yes, see esp. GA.

1:25:45 to: Russ Poulin, WCET
Don't wait for SARA. States expect you to be in compliance now.

1:27:00 to: Jo Ann Mattson - Fontbonne University
thank you!

1:27:12 to: Mona
great webinar, thank you
For colleges that wait, they may be hurting if the federal regulation comes in and they find themselves at the back of the line in a key state.