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Contacts:

Russell Poulin, WCET
rpoulin@wiche.edu, (303) 541-0305

Bruce Chaloux, Sloan Consortium
bchaloux@sloanconsortium.org,
(781) 583-7551

Jim Fong, UPCEA
jfong@upcea.edu, (814) 308-8424

Colleges Moving Slowly Toward State Authorization Compliance or Opting Out of States

Boulder, CO - A growing number of colleges obtained the necessary approvals in states in which they serve distance students, but many have a long way to go. As an alternative to seeking approval, an increasing number of institutions no longer accept students from some states. These are the findings of a survey of nearly 200 colleges conducted jointly by three leading distance education organizations.

"Two-thirds of responding colleges sought authorization in at least one state," according to Russell Poulin, deputy director of the WICHE Cooperative for Educational Technologies (WCET). When compared to a similar survey that we conducted in 2011, only about one-third had applied in any state. Institutions still have a long way to go as only 15% responded that they have all the approvals they need."

"Our members are struggling to see what the future is regarding state authorization compliance. By working together, our three organizations have stronger data and will be able to act on it more effectively," said Robert Hansen, chief executive officer of the University Professional & Continuing Education Association (UPCEA).

While more colleges are seeking to comply, they are also choosing to forego serving students in some states. Bruce Chaloux, executive director and chief executive officer of the Sloan Consortium noted, "As institutions have gained a greater understanding of the laws and

regulations of each state, more have opted to bypass those states that they perceive as being too costly or the approval processes too cumbersome, for the number of students they enroll in certain states."

Given the state-to-state differences in authorization regulations and the courts vacating the federal rule on this issue, many institutional personnel have been confused about how to proceed. One of the purposes of the survey was to determine how that confusion may have altered institutional behavior.

Other major findings from the survey include:

- **Students are being turned away.** Only ten percent of institutions said that they were not turning away any students. Nearly half (46%) are turning away at least 25 students per year and thirteen percent are denying access to more than 100 students. Of additional concern is that 34 percent said they were not notifying students about state authorization.
- **Institutions are in many states.** On average, responding institutions serve students in 32 states. Larger institutions tended to have students in more than 40 states, while smaller institutions had a much smaller reach.
- **More staff dedicated to authorization.** While a question about staffing levels was not asked in 2011, anecdotal evidence indicated that only for-profit institutions had staff dedicated to this task. Now, all types of institutions average about one-half of a staff person addressing state rules and regulations.
- **There is optimism about reciprocity.** About half (52%) feel that the emerging reciprocity agreement will work and another 46 percent said that it depends on the details. Only two percent said that it will not work. Nearly two-thirds (63%) said that reciprocity can't come fast enough.

About the Organizations

The **WICHE Cooperative for Educational Technologies (WCET)** is a cooperative, membership-driven, non-profit provider of solutions and services that accelerate the adoption of effective practices and policies, advancing excellence in technology-enhanced teaching and learning in higher education. More information about WCET's institutional membership resources, services and common interest groups can be found on WCET's website, <http://wcet.wiche.edu>.

The **University Professional & Continuing Education Association (UPCEA)** is a leading association for professional, continuing, and online education. Founded in 1915, UPCEA now serves more than 350 institutions, including most of the leading public and private colleges and universities in North America. The association serves its members with innovative conferences and specialty seminars, research and benchmarking information, professional networking opportunities and timely publications. Based in Washington, D.C., UPCEA builds greater awareness of the vital link between adult learners and public policy issues. <http://upcea.edu>

The **Sloan Consortium (Sloan-C)** is an institutional and professional leadership organization dedicated to integrating online education into the mainstream of higher education, helping institutions and individual educators improve the quality, scale, and breadth of education. Originally funded by the Alfred P. Sloan Foundation, Sloan-C is now a non-profit, member-sustained organization. <http://sloanconsortium.org>

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