

# WCET and SAN Member Virtual Policy Series

*Practical Approaches to Compliance*



# *Welcome*

***December 8***

*The webcast will begin shortly.*

*There is no audio being broadcast at this time.*

*An archive of the webcast will be available next week.*





# Welcome!

*Use the question box for questions and information exchange.*

*Links to the recording and available resources will be emailed to attendees by next week.*



Kim Nawrocki  
Coordinator, Events and Programs  
WCET  
[knawrocki@wiche.edu](mailto:knawrocki@wiche.edu)



# Professional Licensure

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December 8, 2021





# Questions from the Audience



*If you have a question during the presentation, please add it to the question box.*

*We will monitor the question box and have time for Q&A at the end of the webcast.*



# Moderator

**Megan Raymond**

Senior Director, Programs &  
Membership

WCET





# Speakers



**Monica Brooks**

Associate Vice President for Online  
Learning and Dean of Libraries  
Marshall University



**Rachael Stachowiak**

Director, Interstate Policy & Compliance  
State Authorization Network  
WCET



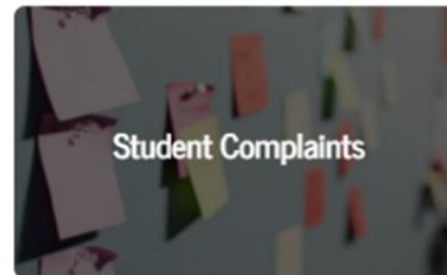
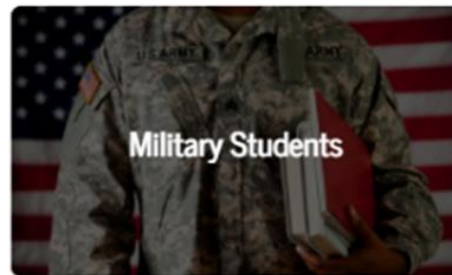
# Resources by topic

- Research
- Regulation summaries
- Handbooks
- Talking points
- Sample tools
- More



[wcetsan.wiche.edu](http://wcetsan.wiche.edu)

## Topic Areas





# Intersections of State Authority

## **Institutional approval** (*authorization, license, certification*)

*Department of Education/Higher Education*

Degree-granting authority; consumer protection

## **Professional licensing**

*Respective by state/profession*

Standards + enforcement of practice

## **State registration**

*Department of Labor/Taxation, Secretary of State/Treasury*

Operations; employment; taxation

## **State Attorney General**

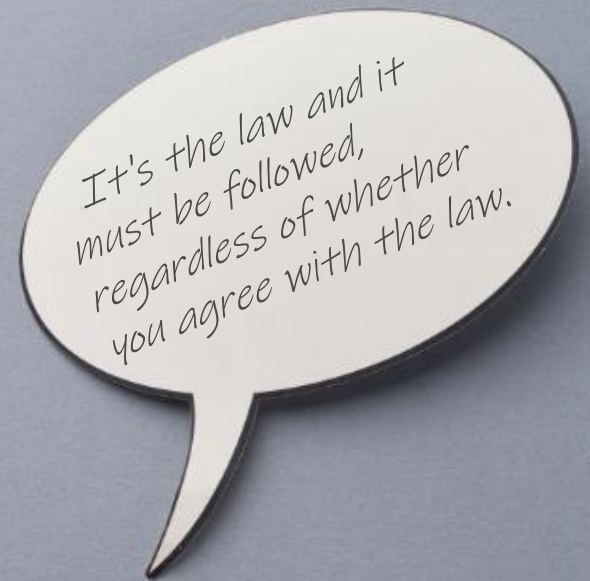
Investigation + litigation; disclosure; privacy and protection of data





# Federal Regulations tie compliance to participation in Title IV HEA programs.

- Definition of state authorization reciprocity agreement (34 CFR 600.2).
- State Authorization (34 CFR 600.9(c)).
- Professional Licensure Notifications (34 CFR 668.3(a)(5)(v) & 668.43(c)).
- Contact information for filing complaints (34 CFR 668.43(b)).
- Misrepresentation (34 CFR 668.71) (34 CFR 668.72).
- Student Identification Verification (34 CFR 602.17(h)).







# Four Key Elements

34 CFR 668.43 - Institutional Information

Professional Licensure Notifications - 668.43(a)(5)(v) & 668.43(c)

1. Regulations address all modalities (includes Face to Face and Online).
2. Understand the type of educational programs subject to notifications.
3. Digest information contained in a **Public Notification**.
4. Building upon Public Notification, know when *AND* what information is to be provided for a **Direct/Individual Notification**.



# Which Programs Require Notifications?

34 CFR 668.43(a)(5)(v)

**Designed** to meet educational requirements

(1) for a **specific professional** license or certification,

(2) and that license or certification is **required for employment** in an occupation.

**OR**

**Advertised** as meeting the educational requirements for such license or certification.





# Questions to ask about your programs

1. Is the educational program **designed to meet educational requirements** for a **specific professional license** or certification?
2. Is the **license or certification required for employment** in the occupation?
3. Is **completion of the program** sufficient to **meet STATE licensure requirements**?
4. Or did the institution **advertise** that the program meets requirements?



# Public Notification

34 CFR 668.43(a)(5)(v)



**Yes**, curriculum meets state requirements.



**No**, curriculum does **not** meet state requirements.



**Unable** to make a determination.

# Direct Notification

34 CFR 668.43(c)

If “No” or “Unable to make a determination”,  
***additional actions are required!***

A written notice to that effect must go to both:

## Prospective Student

- Based on location.
- *Prior* to enrollment = prior to *financial commitment*.

## Enrolled Student

- Based on location.
- Within 14 days of making such determination.





# Journey Map

to professional  
licensure compliance\*

\* One journey - procedures will vary by institution.

**Execute, review, adjust.**

## Direct Disclosure

Issue a direct notice to the student when:

- ✗ No, curriculum does **not** meet state requirements
- ? Unable to make a determination

## Public Disclosure

Per program + state; one of three statements:

- ✓ Yes, curriculum meets state requirements
- ✗ No, curriculum does **not** meet state requirements
- ? Unable to make a determination



## Research & seek applicable approvals

Prioritize programs and locations. Identify subject matter experts within the institution. Compare requirements against the curriculum. Seek approval where required.



## Program assessment

Create a list of ALL educational programs (face to face and distance education that are **designed** or **advertised** to lead to a professional license.



## Location, location, location

Knowing the location of the educational activity is critical to developing an awareness of the regulatory requirements in a given jurisdiction.

# Suggested practices

**Anticipate relocation scenarios:** Create and share a policy to address procedures and potential complications should the student change physical locations; don't neglect applicable state obligations to the student and the institution.

**Provide context:** Help the student understand why they are receiving the disclosure.

Publish **contact information** where students may send inquiries to the institution (ex. Admissions, academic affairs, compliance staff, etc.).

Create a master list of where disclosures are published and saved to **ensure consistent updates can be made to all** as needed.



# Marshall University

- Located in Huntington, WV.
- Founded in 1837.
- University status in 1961.
- R2 since 2018 with close to 12,000 students.
- Average class 20; faculty-student ratio 1:18.
- NCAA Division I, Conference USA.
- 57 BAs, 54 MAs, 4 Docs, 3 Prof. Degrees.
- 38% of our students are Pell eligible.





# Marshall University

- 7 of 13 colleges/schools have professional development programs.
- 26 programs require licensure.
- The majority reside in the College of Education and College of Health Professions.
- The Medical School has several licensure programs and reports to the President.





# Distance Education @ Marshall



- Began in 1998:
  - 40 online sections; 390 enrollments.
- As of Fall 2021:
  - 830 sections ; 12,956 enrollments.
- 31 online and hybrid degree programs:
  - 3 Doctorates.
  - 20 Master's Degrees.
  - 8 Bachelor's Degrees.
- 18 Post-Bac Programs & Graduate Certificates.



# Why is the Librarian involved?

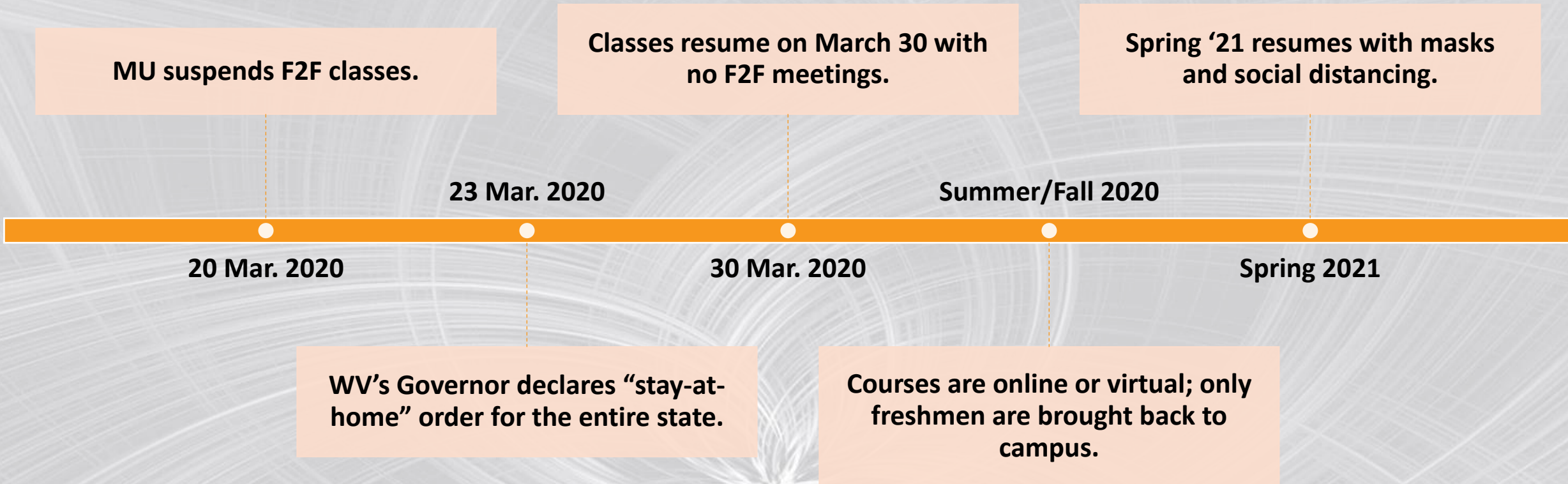


- Budget cuts & personnel changes, 2009.
  - State authorizations compliance.
- More organizational changes, 2016.
  - Decentralized compliance duties.
- More Regulations – ***Help!***
  - Associate General Counsel partnership begins in 2018.
  - *Monica and Jendonnae Houdyschell go to the SAN Back to Basics Workshop, Boulder, CO (2018).*





# 2020: The *Lost* Year





- MUIT launched Teams in 2019 to replace Skype for Business etc.; but adoption was slow.
- During the SAH order, Teams became the primary workspace for document sharing, collaboration, and meetings.
- Most faculty also moved to Teams for virtual course delivery and lecture capture.
- Included with the MS 365 suite; *free* to us!





# Prof. Licensure Disclosures Team

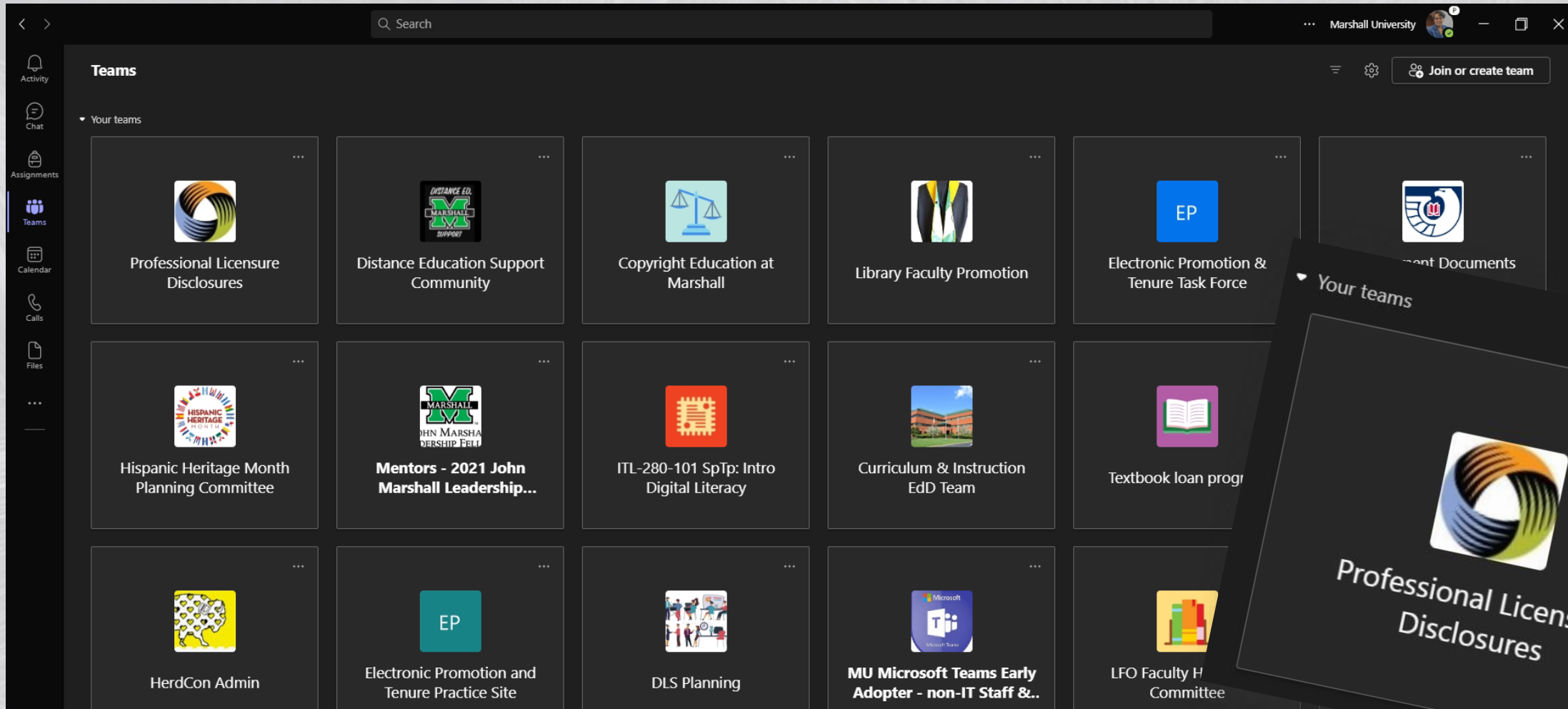
- Before the July 2020 deadline, we compiled our disclosures website and began spreading the word.
- The regulation, SAN checklists, and sample letters were shared many times, but very few disclosures came back to us.

***Word-of-mouth was not effective!***

The PLD Team was born in November of 2020



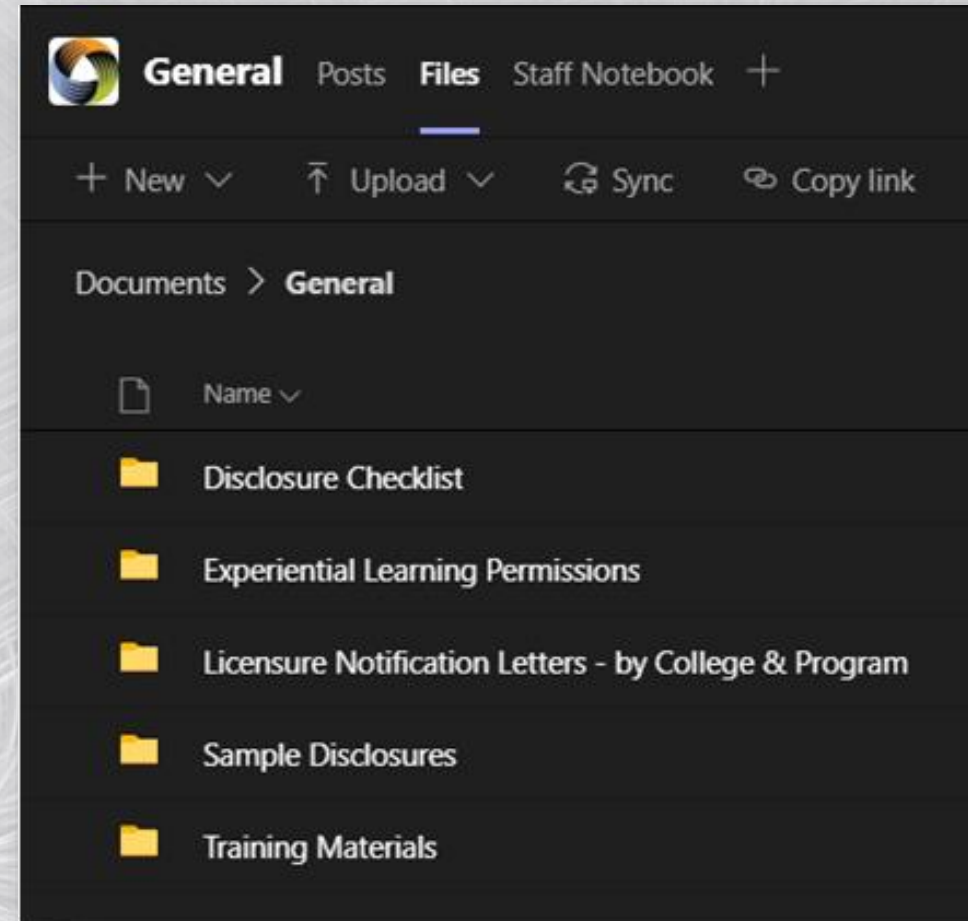
# Prof. Licensure Disclosures Team



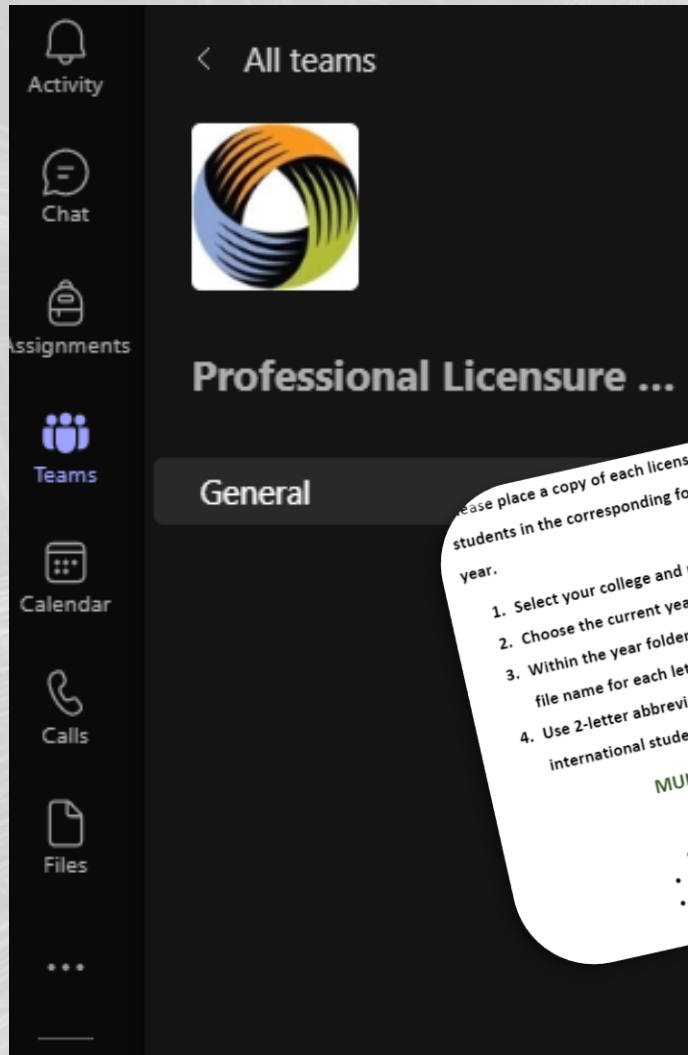


# Prof. Licensure Disclosures Team

- The Library Admin. Assistant was trained on using Teams.
- We compiled instructions and a naming convention for the folders to serve as an archive.
- Reps from each college were added.



# Prof. Licensure Disclosures Team

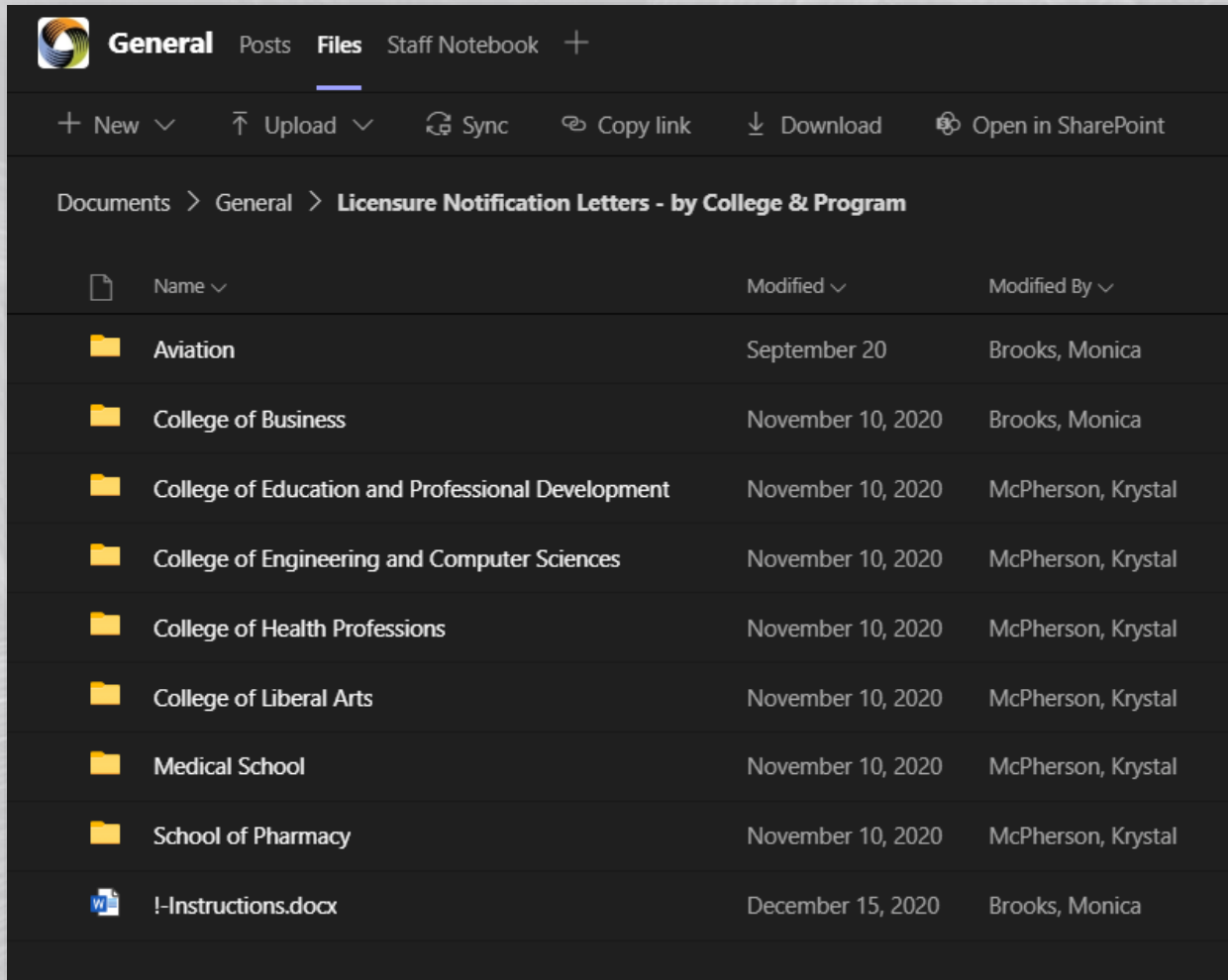


- Instructions.
  - Samples & Handouts.
  - Checklists.
- 
- Folders
    - *By College,*
    - *By Program,*
    - *By Academic Year.*





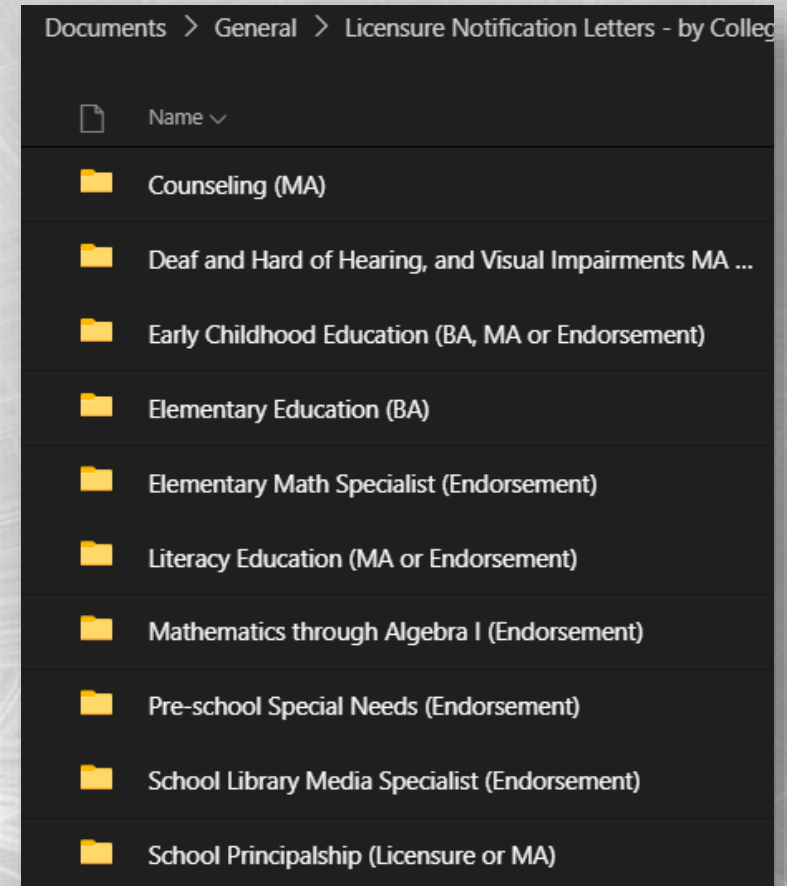
# Prof. Licensure Disclosures Team



The image shows a screenshot of a SharePoint file management interface. At the top, there are tabs for 'General', 'Posts', 'Files', and 'Staff Notebook'. Below the tabs is a toolbar with icons for '+ New', 'Upload', 'Sync', 'Copy link', 'Download', and 'Open in SharePoint'. The main content area shows a breadcrumb path: 'Documents > General > Licensure Notification Letters - by College & Program'. Below this is a table with three columns: 'Name', 'Modified', and 'Modified By'. The table lists various college and program folders, along with a document named '!-Instructions.docx'.

Name	Modified	Modified By
Aviation	September 20	Brooks, Monica
College of Business	November 10, 2020	Brooks, Monica
College of Education and Professional Development	November 10, 2020	McPherson, Krystal
College of Engineering and Computer Sciences	November 10, 2020	McPherson, Krystal
College of Health Professions	November 10, 2020	McPherson, Krystal
College of Liberal Arts	November 10, 2020	McPherson, Krystal
Medical School	November 10, 2020	McPherson, Krystal
School of Pharmacy	November 10, 2020	McPherson, Krystal
!-Instructions.docx	December 15, 2020	Brooks, Monica

## File Management




The image shows a screenshot of a file management list. It has a breadcrumb path: 'Documents > General > Licensure Notification Letters - by College'. Below this is a table with two columns: 'Name' and 'Modified'. The table lists various folders for different licensure programs.

Name	Modified
Counseling (MA)	
Deaf and Hard of Hearing, and Visual Impairments MA ...	
Early Childhood Education (BA, MA or Endorsement)	
Elementary Education (BA)	
Elementary Math Specialist (Endorsement)	
Literacy Education (MA or Endorsement)	
Mathematics through Algebra I (Endorsement)	
Pre-school Special Needs (Endorsement)	
School Library Media Specialist (Endorsement)	
School Principalship (Licensure or MA)	








# Prof. Licensure Disclosures Team

**General** Posts Files Staff Notebook +

+ New ▾ ↑ Upload ▾ ↻ Sync ↻ Copy link ↓ Download

Documents > General > Licensure Notification Letters - by College & Program > College

 Name ▾	Modified ▾	Modified
 <b>Counseling (MA)</b> ...	November 10, 2020	McPh
 Deaf and Hard of Hearing Counseling (MA) Visual Impai...	November 16, 2020	McP
 Early Childhood Education (BA, MA or Endo...	November 10, 2020	M



April 12, 2021

Summerville, SC 29483

Dear:

You are receiving this letter because you have been identified as an admitted student who leads or can potentially lead to professional licensure in the state of West Virginia. We want to make you aware that even though this program's curriculum leads or can lead to licensure requirements will be met in other states. Our records indicate you are currently located in South Carolina and are enrolled in the Counseling: Mental Health program. Please let us know if your location changes.


The South Carolina Dept. of Labor Licensing Regulations Division of Professional & Occupational Licensing Regulations Division of Professional and Occupational Licensing. Their application offers a space for the applicant to add that they have completed a program/degree from an institution outside of South Carolina. Therefore, upon completion of the program, they require the information provided is strictly limited to the University's determination of whether its Counseling: Mental Health program, if successfully completed, would be sufficient to meet the professional licensure requirements. Marshall University cannot provide verification of an individual's ability to meet licensure or certification requirements unrelated to its educational programming.

The information provided does not provide any guarantee that any particular state licensure or certification will approve or deny your application. Furthermore, this disclosure does not account for changes in state law or regulation that occur after this disclosure has been made. In addition to the information provided here, students are strongly encouraged to contact their State's licensure entry to review all licensure and certification requirements imposed by their state(s) of choice.

The South Carolina Dept. of Labor Licensing Regulations Division of Professional & Occupational Licensing

If you require further information, please contact me directly at 304.696.2912 or [lent@marshall.edu](mailto:lent@marshall.edu)


Sincerely,



College of Education and Professional Development  
One John Marshall Drive  
Huntington, WV 25755  
304-696-2912

To file a complaint please follow this link: <https://www.marshall.edu/disclosures/studentcomplaints/>

**Marshall University**  
College of Education & Professional Development  
Office of the Dean  
100 Angus E. Peyton Drive  
South Charleston, WV 25303-1600  
Tel: 304-746-1992  
Fax: 304-746-2074  
[marshall.edu](http://marshall.edu)



March 29, 2021

Searcy, Arkansas 72143

Dear:

You are receiving this letter because you have been identified as an admitted student in a program whose curriculum meets the requirement that leads or can potentially lead to professional licensure in the state of West Virginia. We want to make you aware that even though this program's curriculum leads or can lead to licensure in West Virginia that does not guarantee it will meet licensure requirements will be met in other states. Our records indicate you are currently located in Arkansas and are enrolled in the Counseling: Mental Health program. Please let us know if your location changes.

The Arkansas Board of Examiners in Counseling and Marriage and Family Therapy as of, March 29, 2021, stated that they review each applicant on a case-by-case basis. Their application offers a space for the applicant to add that they have completed a program/degree from an institution outside of Arkansas. Therefore, upon completion of the program, they require you to apply to The Arkansas Board of Examiners in Counseling and Marriage and Family Therapy.


The information provided is strictly limited to the University's determination of whether its Counseling: Mental Health program, if successfully completed, would be sufficient to meet the professional licensure requirements. Marshall University cannot provide verification of an individual's ability to meet licensure or certification requirements unrelated to its educational programming.

The information provided does not provide any guarantee that any particular state licensure or certification will approve or deny your application. Furthermore, this disclosure does not account for changes in state law or regulation that may affect your application for licensure that occur after this disclosure has been made. In addition to the information provided here, students are strongly encouraged to contact their State's licensure entry to review all licensure and certification requirements imposed by their state(s) of choice.

The Arkansas Board of Examiners in Counseling and Marriage and Family Therapy offers licensing information here:  
<https://abec.statesolutions.us/applicants/>

If you require further information, please contact me directly at 304.696.2912 or [lent@marshall.edu](mailto:lent@marshall.edu)


Sincerely,



College of Education and Professional Development  
One John Marshall Drive  
Huntington, WV 25755  
304-696-2912


To file a complaint please follow this link: <https://www.marshall.edu/disclosures/studentcomplaints/>

**Marshall University**  
College of Education & Professional Development  
Office of the Dean  
100 Angus E. Peyton Drive  
South Charleston, WV 25303-1600  
Tel: 304-746-1992  
Fax: 304-746-2074  
[marshall.edu](http://marshall.edu)



**BE PROUD.**  
BE A SON OR DAUGHTER OF MARSHALL.

## Disclosures Archive





# File Management

- Folders can be synced to the Team owner's desktop to allow for drag/drop/search.
- Using our naming convention allows General Counsel to locate disclosures by student, MU student ID number, or state.
- User information is retained/time-stamped so Team owners can easily contact college/school employees responsible for disclosures.





# Location Change Reports

- An automated report is sent to [licensure@marshall.edu](mailto:licensure@marshall.edu) from the SIS when students change locations.
- The Team is used to notify colleges/schools of these changes during the semester so new disclosures can be sent.





# PLD Training



Response improved but was still not adequate



In December we used the Team as our training platform



Added group email:  
[licensure@marshall.edu](mailto:licensure@marshall.edu)

**December 10 at 10am - State Authorization & Licensure Notifications Training**  
4 views · 0 likes · 0 comments

**State Authorizations, Professional Licensure Disclosures, & Experiential Learning Requirements**

Jendonnae L. Houdyschell, Associate General Counsel  
Monica Brooks, Associate VP for Online Learning & Dean of Libraries  
[Distance.Education@Marshall.edu](mailto:Distance.Education@Marshall.edu)

00:23 / 25:57

Mount, Mallory MM TB DL 1x



# The Catalyst



- Training sparked campus wide interest!
- We met with several colleges after that event.
- We ran new workshops each term.

The WV Higher Education Policy Commission also launched statewide training to help WV institutions comply with the regulations.





# What Worked

- Everyone was using the platform.
- Perfect archive accessible to all stakeholders.
- Training could be delivered and housed in the same place.
- Q&A messages/chats could also be conducted here.

**Archiving letters *for* the units also improved our results!**



# What Did Not Work

- We were silly to assume people would use our naming convention.
- Not everyone is adept at using folders or files.
- It was (and still is) difficult to compel everyone to comply with the disclosure requirement.





# Wish List and Next Steps

- Better campus communication.
- Staffing support and the need for personnel to centralize university compliance.
- Admin support to foster better understanding of requirements among the colleges/schools.





# Ultimate Wish

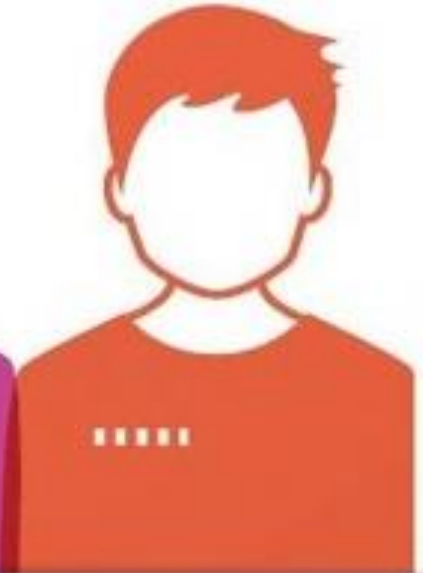
A full-time position dedicated to licensure disclosures, experiential learning, and Financial Aid reporting requirements.

***We also use Teams to report “regular and substantive interaction” for distance education courses to the US Dept. of Ed!***





# Questions from the Audience



# Contact Information



Monica Brooks  
[monica.brooks@marshall.edu](mailto:monica.brooks@marshall.edu)



Megan Raymond  
[mraymond@wiche.edu](mailto:mraymond@wiche.edu)



Rachael Stachowiak  
[rstachowiak@wiche.edu](mailto:rstachowiak@wiche.edu)







**More about the State Authorization Network (SAN)**

- Visit us online at [wcetSAN.wiche.edu](https://wcetSAN.wiche.edu) to learn about the various institutional responsibilities for out-of-state activity compliance.
- Membership information at [wcetSAN.wiche.edu/membership](https://wcetSAN.wiche.edu/membership)
- **Upcoming!** SAN Basics Virtual Workshop  
March 2, 3, 4, 2022

*New to State Authorization?* Hands-on event to help new and relatively new compliance staff understand and navigate the nuances of out-of-state activity compliance.

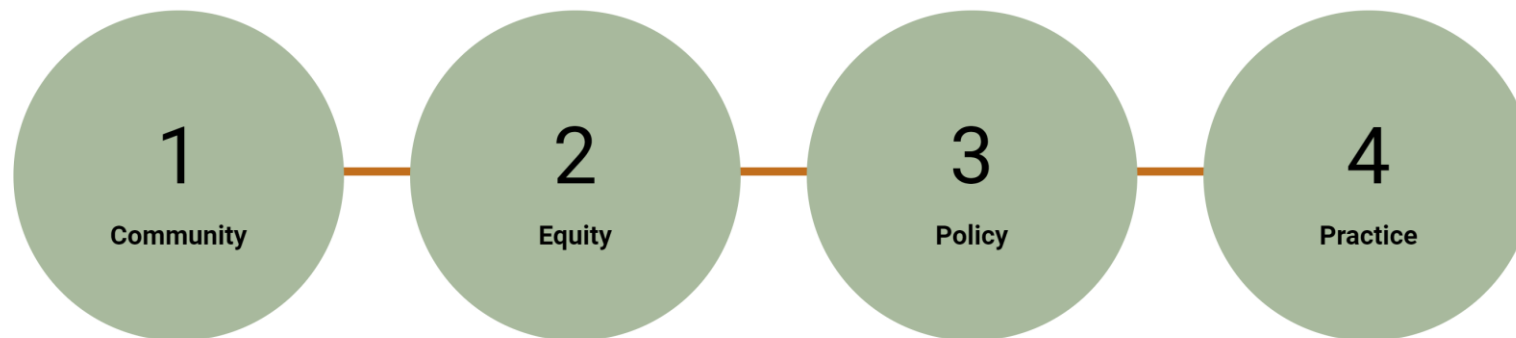
[Register Today!](#)

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Learn more about the benefits of joining our community:  
[wcet.wiche.edu/join-us](https://wcet.wiche.edu/join-us)

WCET is the leader in the practice, policy, & advocacy of digital learning in higher education.





# Policy Series Recordings and Additional Resources

Series recordings and any additional resources will be emailed to registrants by next week.

Email [knawrocki@wiche.edu](mailto:knawrocki@wiche.edu) with questions.





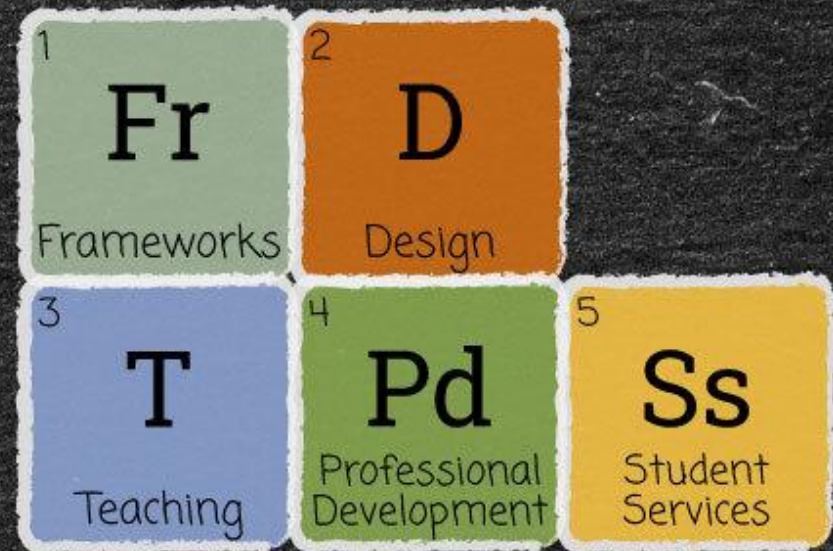
# Save the Date – Registration Coming Soon!

## Elements of Quality Digital Learning

WCET Virtual Summit

Exclusively for WCET Members

April 6, 2022





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