WCET and SAN Member Virtual Policy Series

Practical Approaches to Compliance

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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.

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Professional Licensure

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

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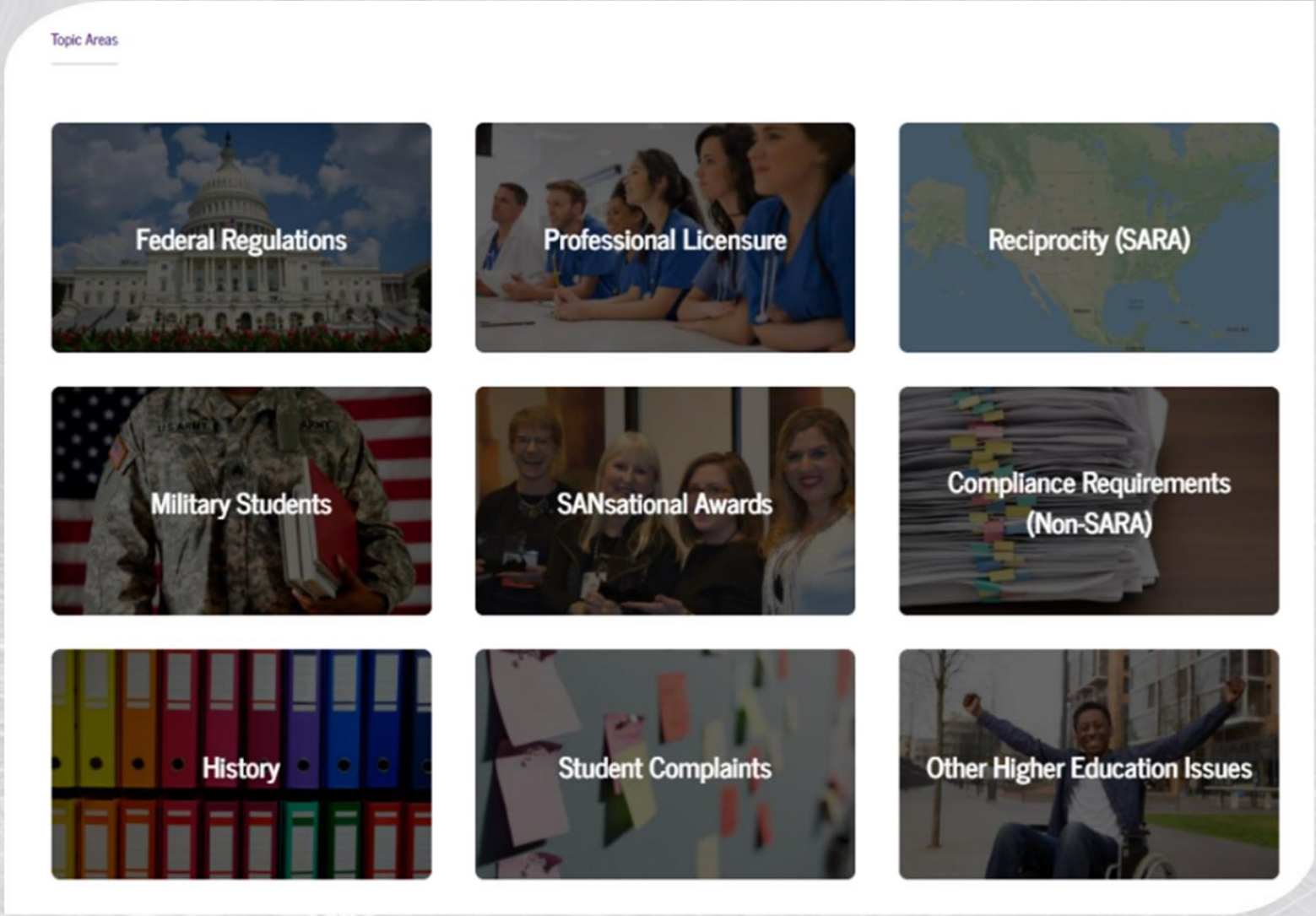
STATE AUTHORIZATION NETWORK

Resources by topic

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

wcetsan.wiche.edu



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*

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.

** One journey - procedures will vary by institution.*

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.

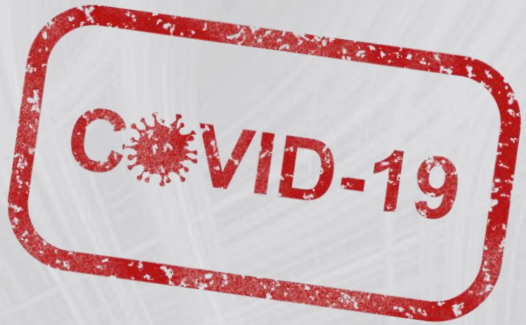
Distance Education @ Marshall

- 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



MU suspends F2F classes.

Classes resume on March 30 with no F2F meetings.

Spring ‘21 resumes with masks and social distancing.

23 Mar. 2020

Summer/Fall 2020

20 Mar. 2020

30 Mar. 2020

Spring 2021

WV’s Governor declares “stay-at-home” order for the entire state.

Courses are online or virtual; only freshmen are brought back to campus.

Microsoft Teams

- 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!

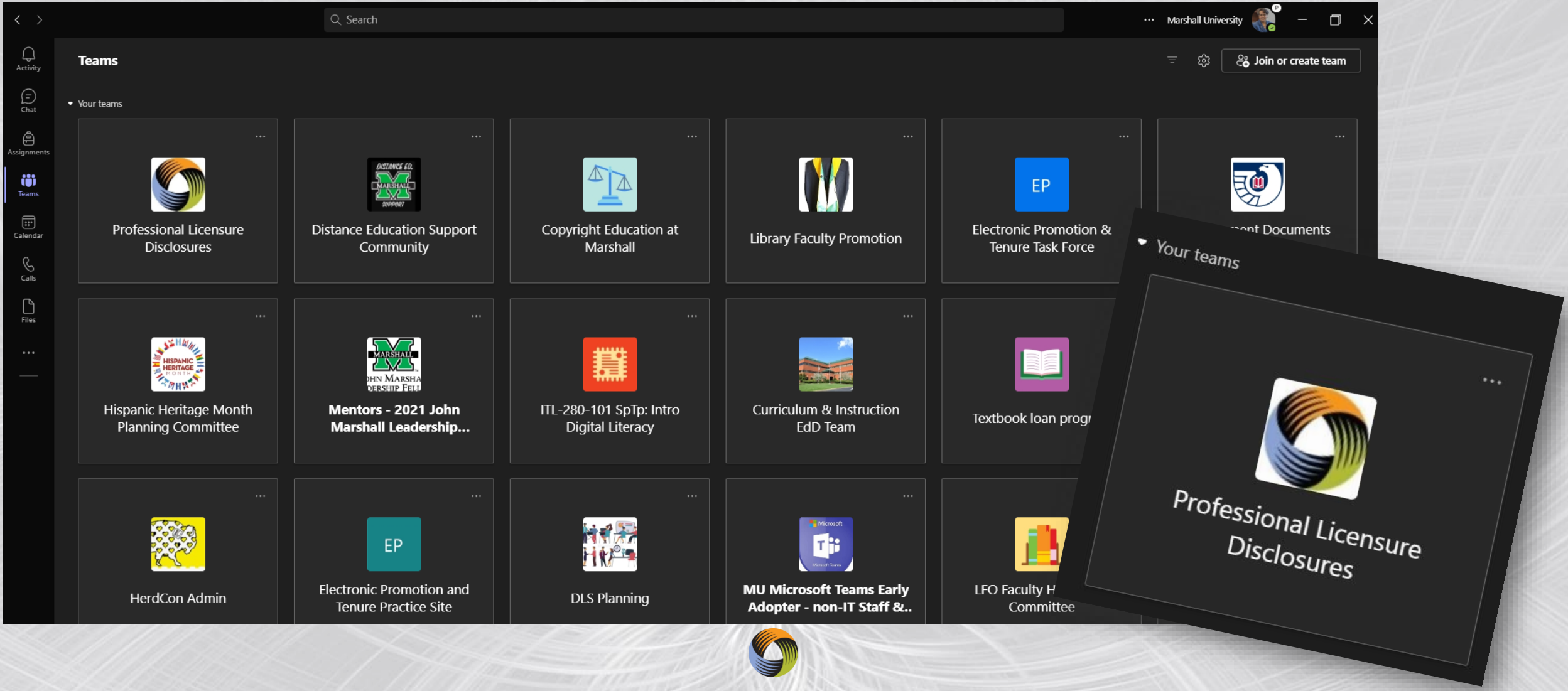
Prof. Licensure Disclosures Team

- 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!

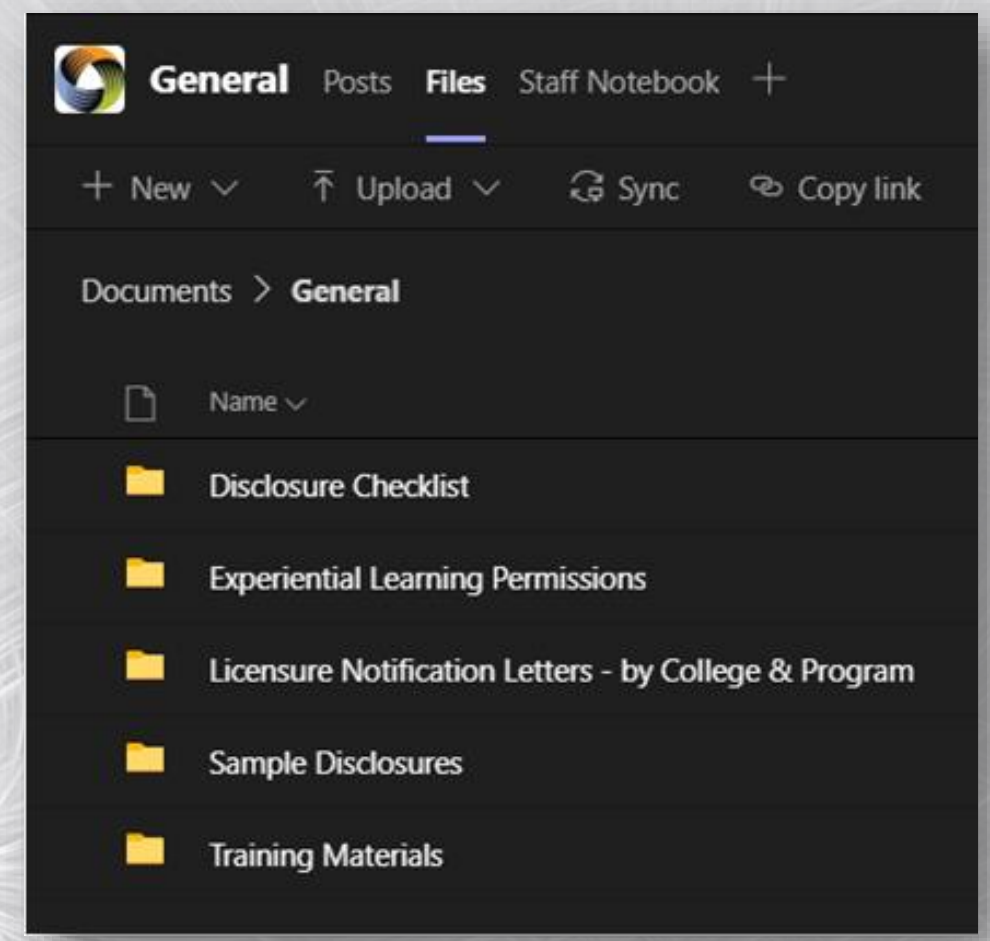
The PLD Team was born in November of 2020

Prof. Licensure Disclosures Team

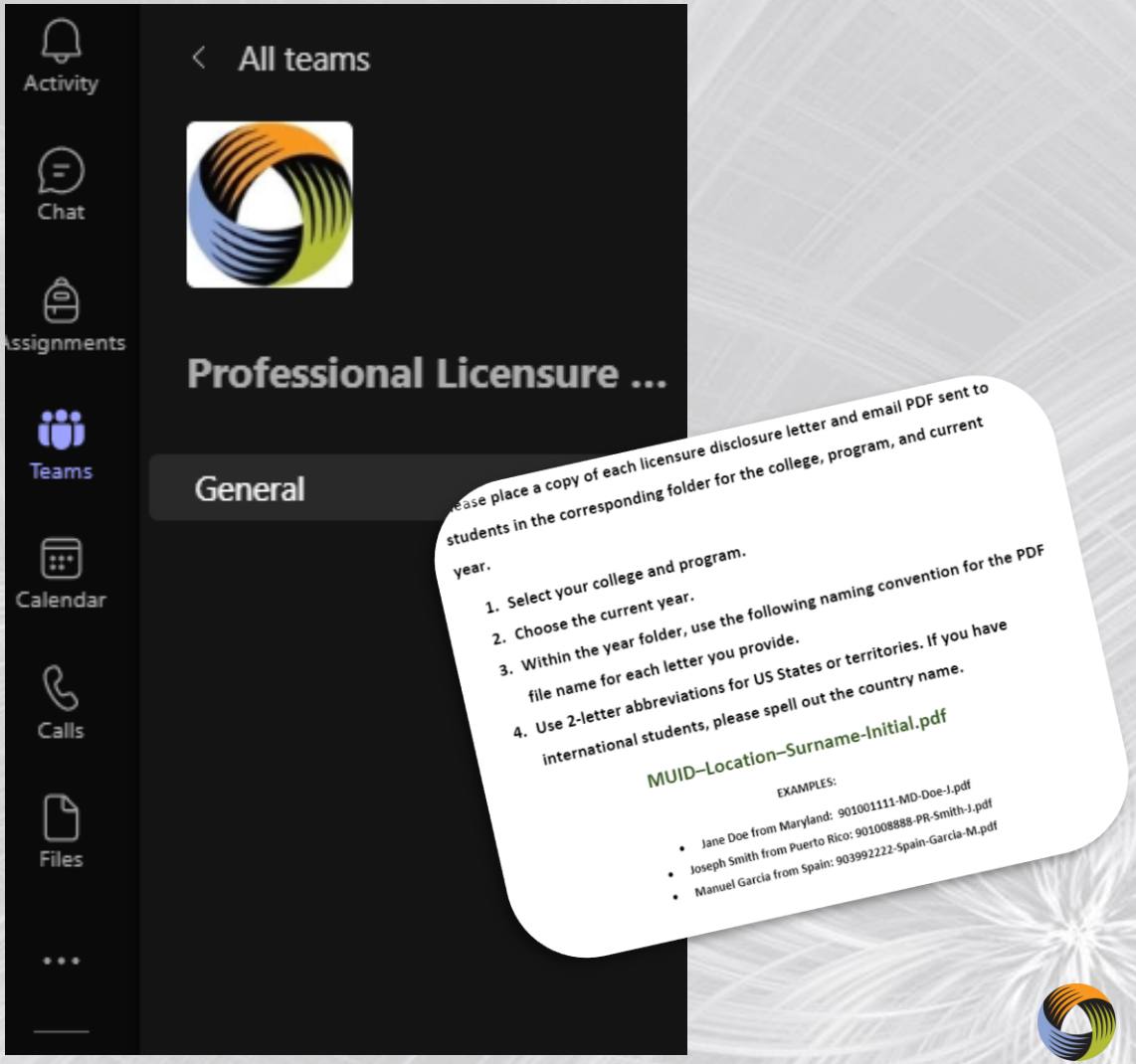


Prof. Licensure Disclosures Team

- 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.



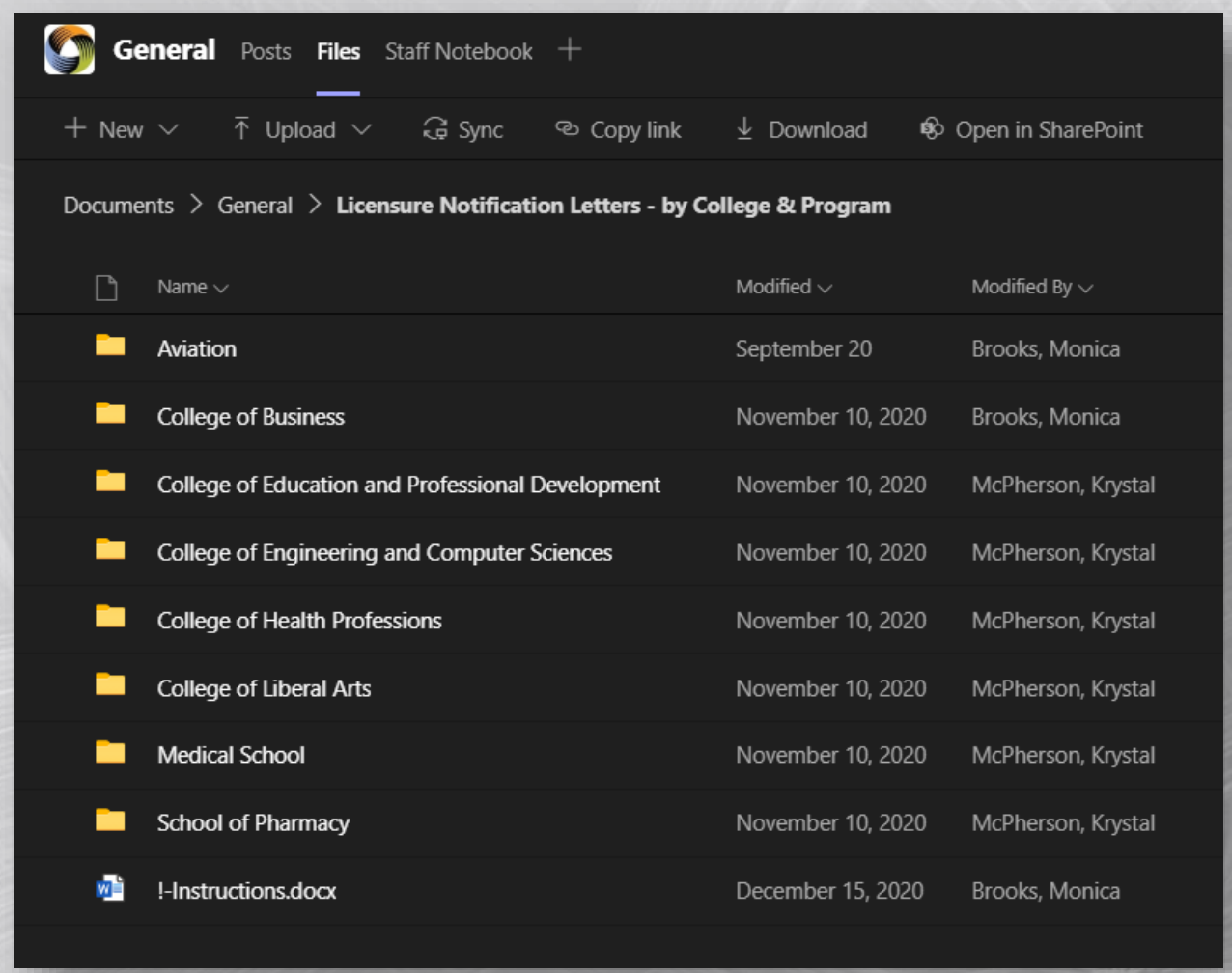
Prof. Licensure Disclosures Team



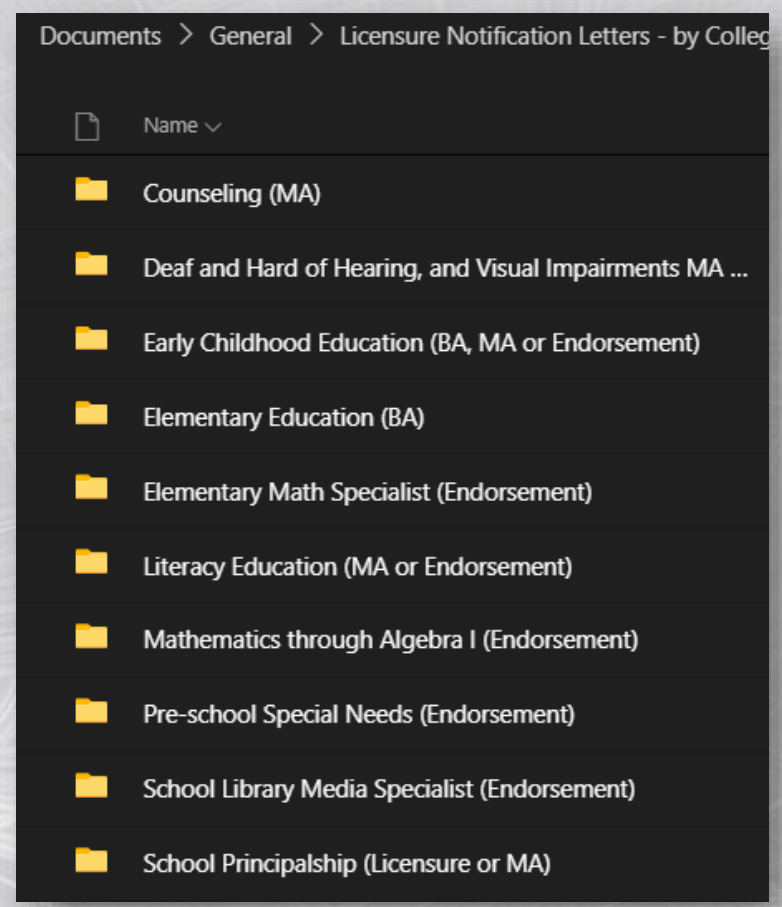
- Instructions.
- Samples & Handouts.
- Checklists.

- Folders
  - *By College,*
    - *By Program,*
      - *By Academic Year.*

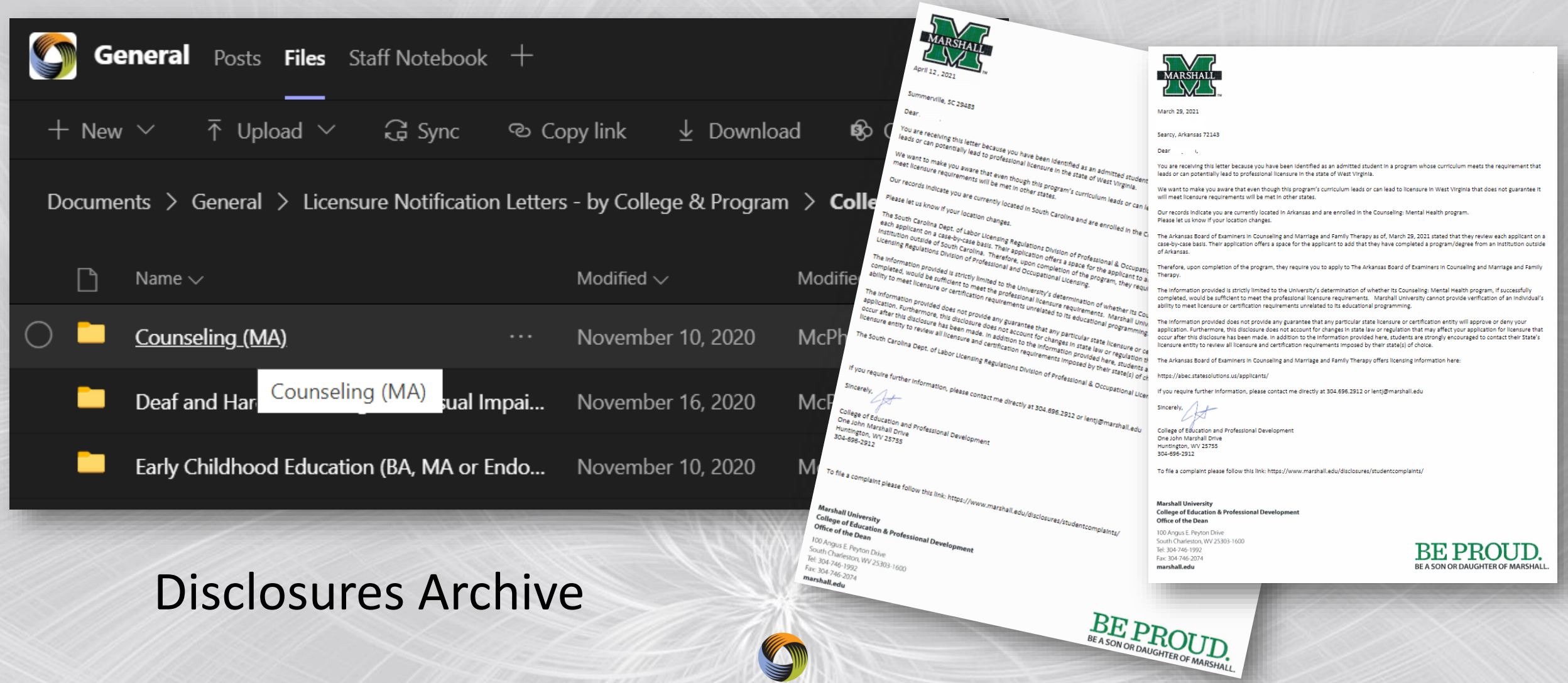
Prof. Licensure Disclosures Team



File Management



Prof. Licensure Disclosures Team



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 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

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

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More about the State Authorization Network (SAN)

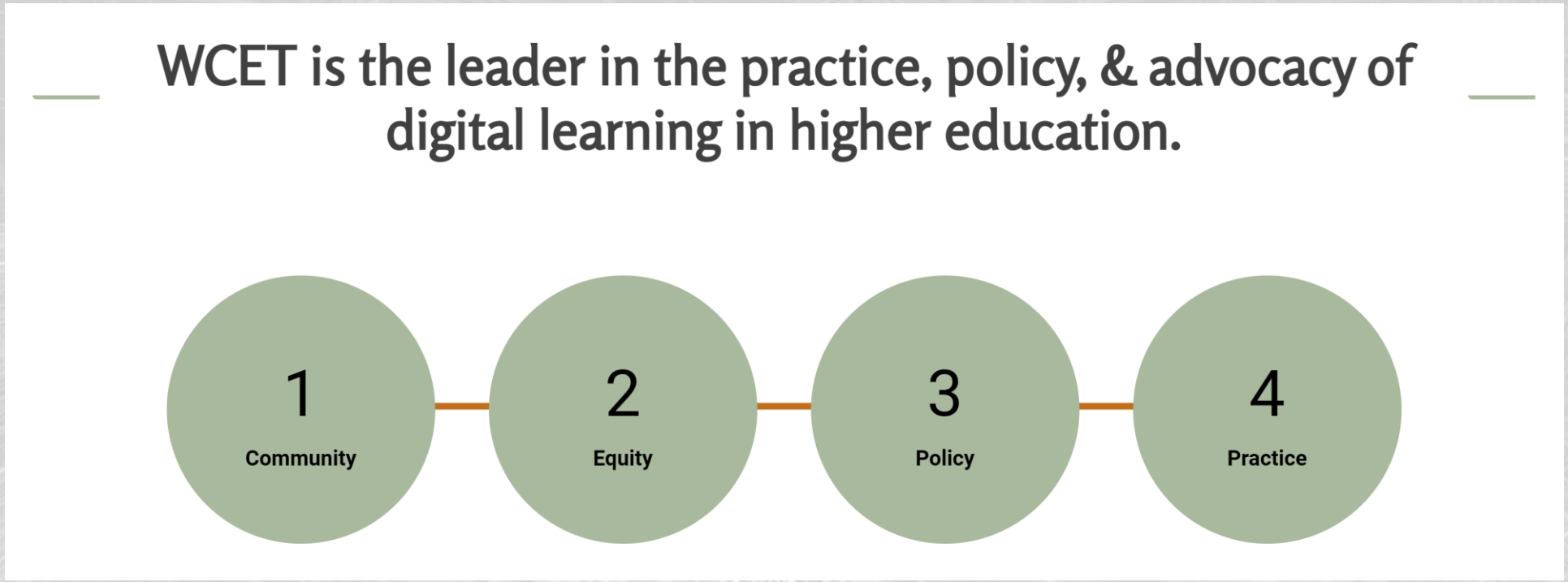
- Visit us online at wcetSAN.wiche.edu to learn about the various institutional responsibilities for out-of-state activity compliance.
- Membership information at wcetSAN.wiche.edu/membership
- **Upcoming!** SAN Basics Virtual Workshop
  March 2, 3, 4, 2022

  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!

Learn More and Stay Connected

Visit wcet.wiche.edu to explore our Policy and Practice work, Events, Membership, and Sponsorship.

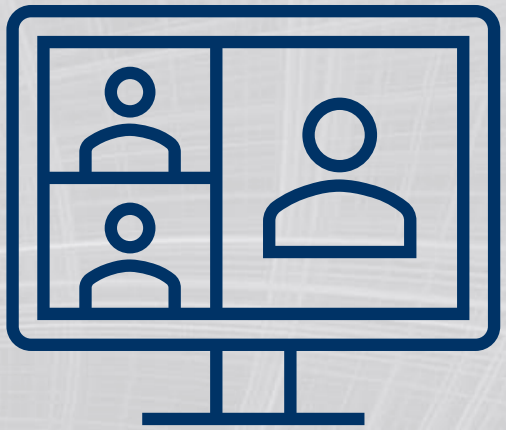
Learn more about the benefits of joining our community: wcet.wiche.edu/join-us



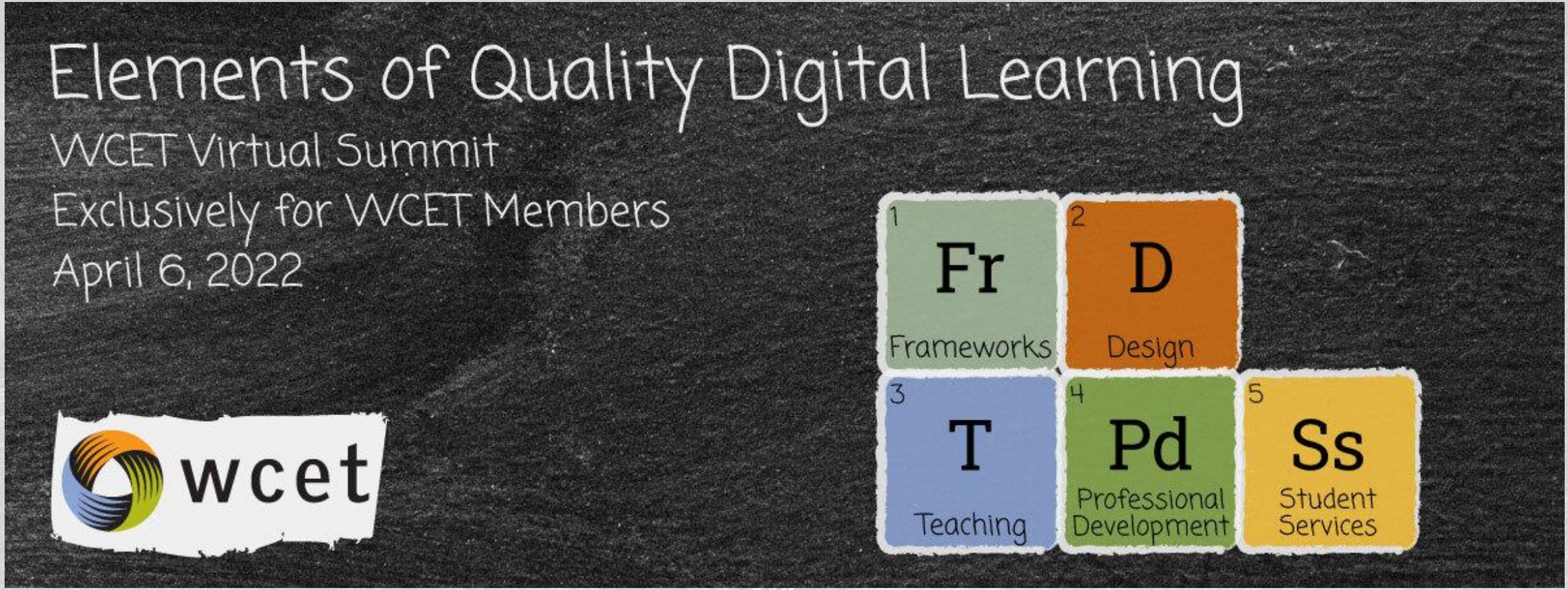
Policy Series Recordings and Additional Resources

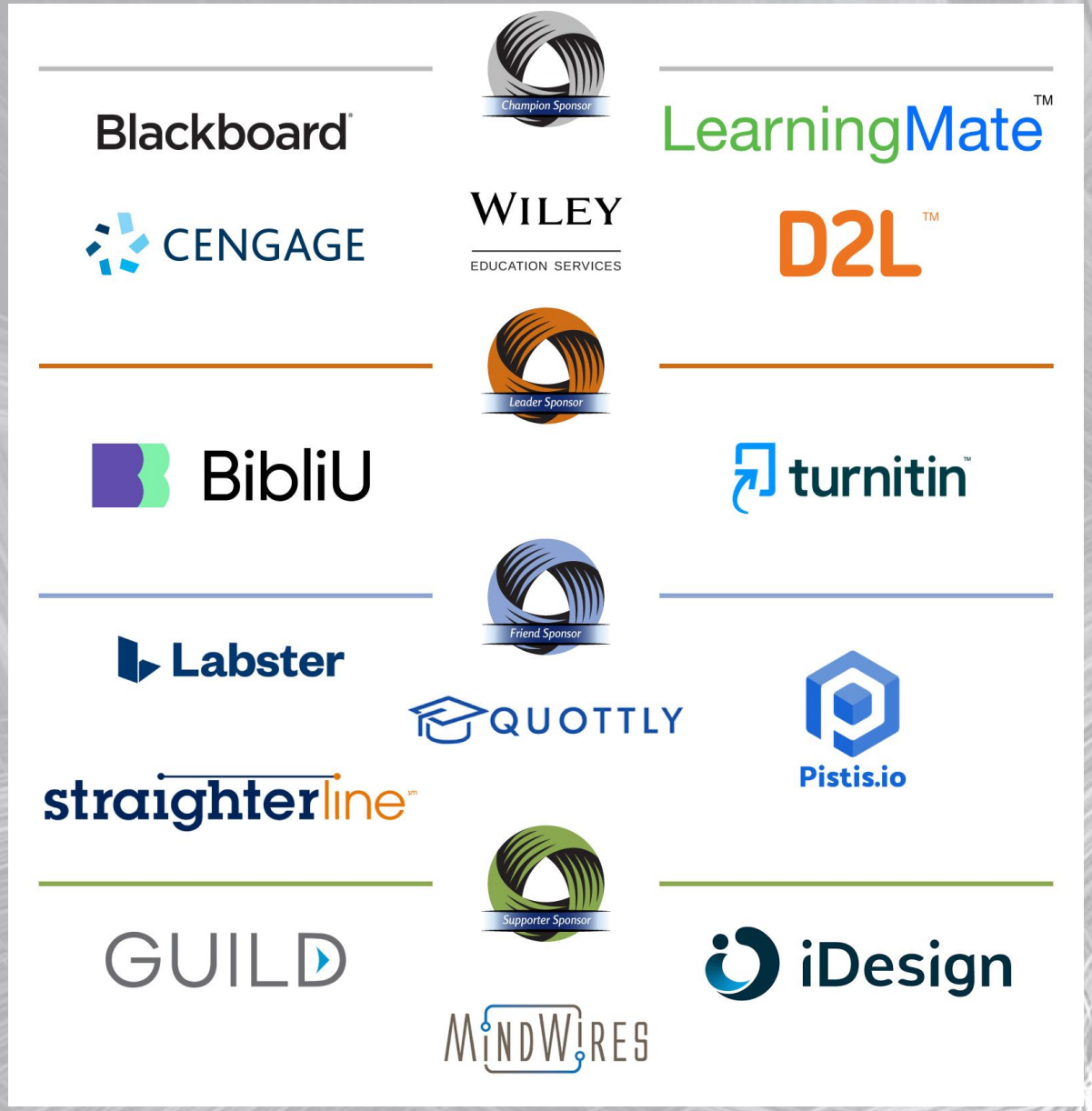
Series recordings and any additional resources will be emailed to registrants by next week.

Email knawrocki@wiche.edu with questions.



Save the Date – Registration Coming Soon!





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