



Understanding and Ensuring Professional Licensure Outcomes: A Practical How-To Guide

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We will cover:

- **Review** of current federal and SARA requirements
- **Proposed** federal regulations and SARA policy changes
- **Process** and **policy** considerations
- **Research** and **curriculum** comparisons
- **Resources** and **support** available

<https://bit.ly/NASASPSLicenseGuide>



Current Federal and SARA Requirements

Current Title IV and SARA Requirements

- Since July 1, 2020, Federal Title IV Regulations ([34 CFR 668.43](#)) and NC-SARA policy ([v. 22.1 § 5.2](#)) require:

- Understand
- Communicate



Guide Pages 5-6

Institution Responsibility: Understand

Understand how licensure programs meet educational requirements for licensure in each state and U.S. territory.

- Applies to *all modes of delivery*
 - Physical campus, distance/virtual and hybrid

“**No determination**” used while completing the research and curriculum comparison work.

- SARA - Must make *all reasonable efforts* to determine.
- Note, during rule-making negotiators indicated that “no determination” should not be used indefinitely.

Institution Responsibility: Communicate

Communicate licensure information to prospective and current students: “Meet”, “does not meet”, or “no determination”

- *Public disclosures (website)*
 - All U.S. states/territories (59)
 - SARA-if “not determined” provide contact info
- *Individual direct disclosures (email)*
 - Student location is key
 - Before Enrollment if “no determination” or “does not meet”
 - 14 calendar days from change to “does not meet”

Additional Responsibilities - Veteran Affairs

Effective February 17, 2023 (modifies [38 CFR 21](#))

- **Must meet all instructional curriculum licensure requirements**
- PLUS Additional Disclosures – on website, catalog, and all marketing materials
 - *Publicly disclose in a prominent manner any conditions or additional requirements, including training, experience, or examinations required to obtain the license, certification, or approval for which the program of education is designed to provide preparation.*

Proposed Federal and SARA Changes

ED Negotiated Rulemaking

The last Department proposal included:

More Responsibility for Institutions

the institution must ensure that each program– (ii) Satisfies the applicable educational prerequisites for professional licensure

Removing “not determined” option for Public Disclosures

Note: Individual Direct Disclosures were not addressed in ED’s proposal.

ED Negotiated Rulemaking

Negotiated Rulemaking Process

1. Public Notice
 2. Select Negotiators
 3. Department proposes regulations
 4. Conduct first meeting of Negotiators
 5. Negotiate between and during meetings
 6. The Goal: Consensus
 7. Negotiators vote at final meeting
- No consensus reached on this issue (Certification)

7.5 CURRENTLY HERE – *Office of Management and Budget review for economic impact

8. Publish proposed regulations - anticipated April
(min. 30 day public comment period)

8.5 Possible OMB review

9. Publish final regulations

Calendar considerations for Title IV

-Publish final by November 1 to be effective following July 1 for new aid year

SARA Policy Modification Process

Proposals submitted through new Policy Modification Process for Current SARA Policy 5.2

- Remove “all reasonable efforts” language.
(MHEC and University of Michigan)
- Adding an exception for educator/teacher programs.
(James Madison University)

SARA Policy Modification Process

~~Initial Submission Deadline~~
~~2/3/2023~~

~~Public Forum Date 1~~
~~3/1/2023~~

~~Amendment Period 1 Start Date~~
~~3/2/2023~~

~~Amendment Period 1 End Date~~
~~4/5/2023~~

Public Comment Period Start Date
4/17/2023

Public Comment Period End Date
5/17/2023

Public Forum Date 2
6/7/2023

Amendment Period 2 Start Date
6/8/2023

Regional Compact Review Deadline
9/1/2023

NC-SARA Board Review Start Date
10/23/2023

NC-SARA Board Review End Date
10/25/2023

Process and Policy Considerations

How to Identify Licensure Programs

- Programs designed or advertised as leading to a license or certification
- Use of online directories to start
- Review program marketing materials
- Job descriptions
- Combined or dual degree programs

A Team Effort

- Compliance Director
- Program Director
- Curriculum Subject Matter Experts (SMEs)
- Systems Analyst/IT/Website
- Legal
- Enrollment and Admissions Leads
- Marketing

Institutional Policy and Process Considerations

- Student location policy
- Research review process and disclosure updates
- Direct disclosure process
 - When is email sent exactly (can be any time prior to enrollment)
 - Who and how?
 - Automated, admission staff, or program director/faculty
 - Is record being stored?
 - What about acknowledgement that licensure information received?

Research and Curriculum Comparisons

Research Educational Requirements

- State law: Statutes, regulations/rules, and policy manuals
- Licensing board or agency websites
- Reliable third-party sources
- Communication with licensing board or agency

Curriculum Comparison

- Degree level, field of study, and total number of credits
- Reliance on external authority to meet educational requirements
- Course content areas
- In-program supervised experience
- Residency

Guide Pages 13-24

What to look for:

- Are courses or credits required within the degree program?
- Program approval required for out of state program or clinical experience.
- Residency requirements.
- Training required outside of the program

Frequent Questions

- Do you only have to “meet” educational requirements for the first level of license? (e.g., requires “clinical” courses or field of study)
- Our program holds specialized accreditation, doesn’t that mean we meet all state/territory requirements?
- If our program meets requirements for graduates to sit for the exam but not all requirements (CPA 120 versus 150 credits) do we need to say “does not meet?”
- Do we need to disclose if we “meet” requirements for a state or territory from where we will never enroll students?

Compacts and reciprocity

- Generally post-licensure
- Teachers are exception - NASDTEC interstate agreement
- Council of State Governments
 - National Center for Interstate Compacts

Resources and Support

Resources and Support

WCET-SAN

- Special Interest Team for licensure has created [several checklists and whitepapers](#)
- [Links to national associations of state boards and individual state agencies/consolidated boards.](#)
(For SAN members)
- WCETMix has additional resources, including templates (For SAN members)
- [Updates regarding the 2023-2024 U.S. Department of Education Rulemaking](#)

SARA Resources

- [Links to state/territory licensure Boards for five professions](#)
- [Professional Licensure webpage](#)

Midwest Higher Education Compact (MHEC)

Two convenings (HELP presented), with links to resources:

[Feb. 28, 2023](#) and [Aug. 17, 2022](#)

- **Board contact information** for over 40 licensed professions/occupations for all 59 U.S. states/territories.
- **Question and Answer documents** (HELP created)

Higher Education Licensure Pros



The Bookmark

Online database of educational and additional requirements for licensure for all U.S. states/territories for 60 license types.

Three different membership levels, based on number of users, starting at \$5,000/year (will be \$6,000/year starting June 1)

Additional Services

- Webinars and Work Sessions
- Detailed Curriculum Comparisons
- Custom Research Projects

Costs vary, depending on number of factors including frequency, license type, timeframe, and number of institutions.

www.higheredlicensurepros.com

References

- *Federal regulation and law*
 - [34 CFR 668.43\(a\)\(5\)\(v\)](#) - Institutional Information (public notifications for programs leading to professional licensure or certification for all modalities)
 - [34 CFR 668.43\(c\)](#) - Institutional Information (individualized notifications for programs leading to professional licensure or certification for all modalities)
 - [34 CFR 668.71](#) - Misrepresentation - Scope and specific definitions
 - [34 CFR 668.72](#) - Misrepresentation - Nature of educational program
 - [Public Law 116-315, Section 1018](#) - Additional licensure disclosure requirements for students utilizing GI Bill or other VA funding.
 - [38 CFR 21.4253\(d\)\(9\)](#) and [38 CFR 21.4259\(e\)](#) - Feb 2023 final VA regulation with additional requirements
- *SARA Policy*
 - [NC-SARA Manual v. 22.1 § 5.2](#)

More information

- [2022 ED Negotiated Rulemaking](#)



Questions?

2023 NASASPS Annual Conference

April 30 – May 3 | Phoenix, Arizona



NATIONAL ASSOCIATION OF STATE ADMINISTRATORS
AND SUPERVISORS OF PRIVATE SCHOOLS

Thank you!

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