



NASASPS 2013 ANNUAL CONFERENCE

SURVIVOR: STATE AUTHORIZATION ISLAND

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SURVIVOR: STATE AUTHORIZATION ISLAND

- History of Survivor
 - › 26 Seasons
- State Authorization
 - › Many years
 - › More attention since 2010



**State Authorization--The Feds Have Kicked
the Hornet's Nest!**





SURVIVOR: STATE AUTHORIZATION ISLAND

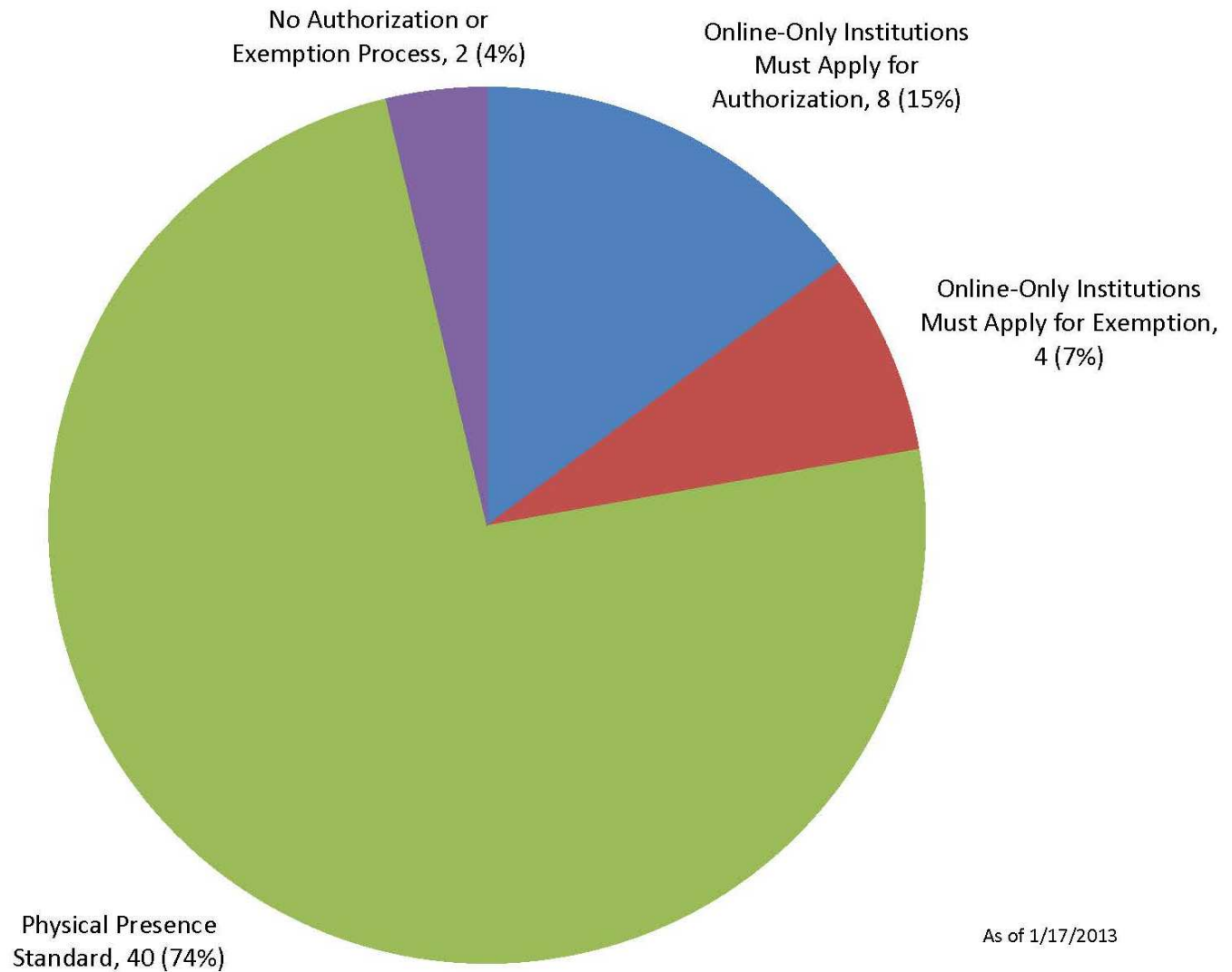
- First Survivor season and 34 C.F.R. 600.9 (State Authorization)
 - › Never as dramatic as the first time
 - › Had no idea what to expect
 - › A twist
- First Impressions
 - › Lasting impressions
 - › Contestants will talk—so will the states
- Rice, rats and applications:
 - › Good food rewards
 - › Good applications
 - › Stress reduction



Common Goals

- Survivor Goal
 - › Don't get voted off the island
- Institution's Goals:
 - › Get authorized where need to be
 - » Where?

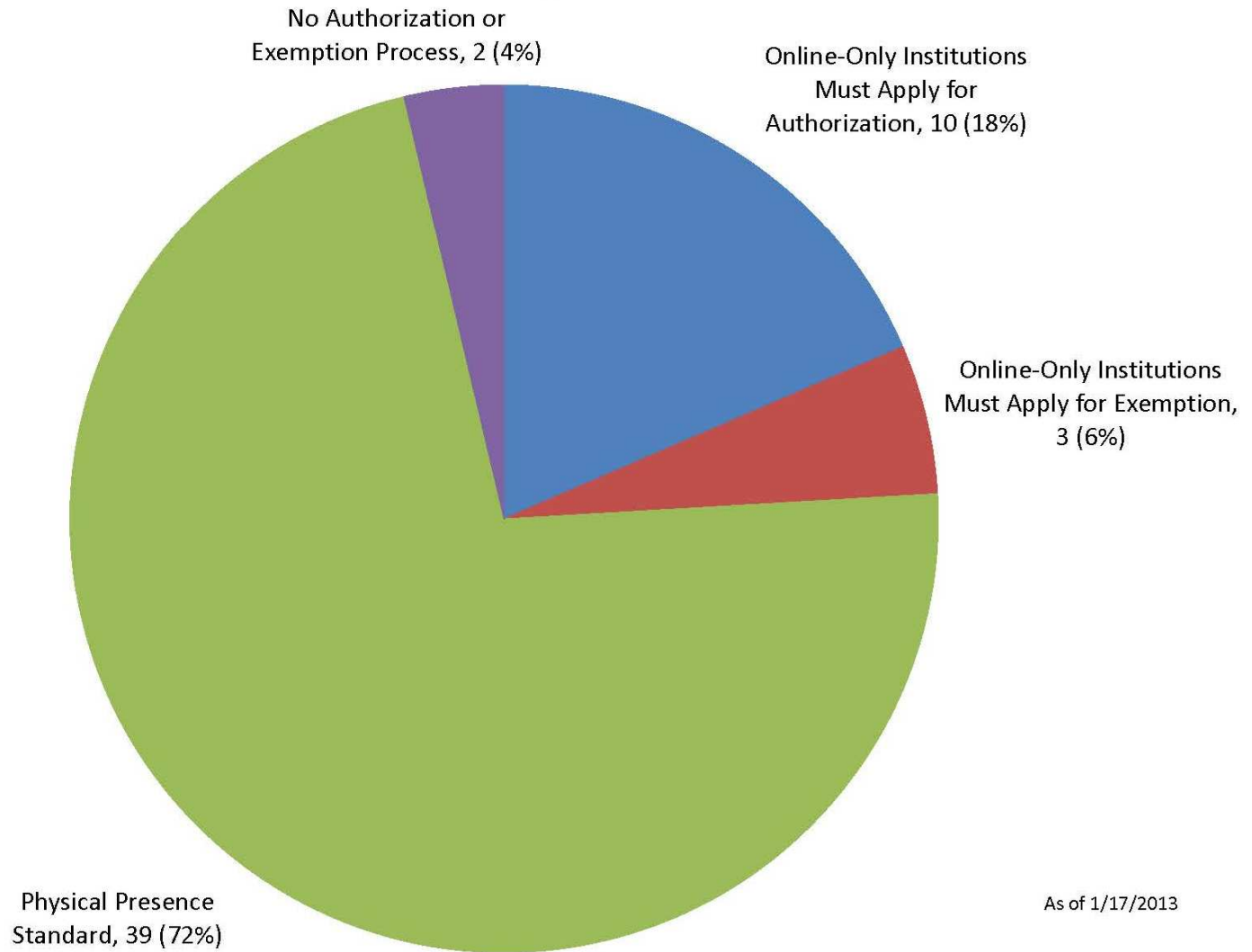
Authorization Standards for Degree-Granting Online Institutions by State



As of 1/17/2013

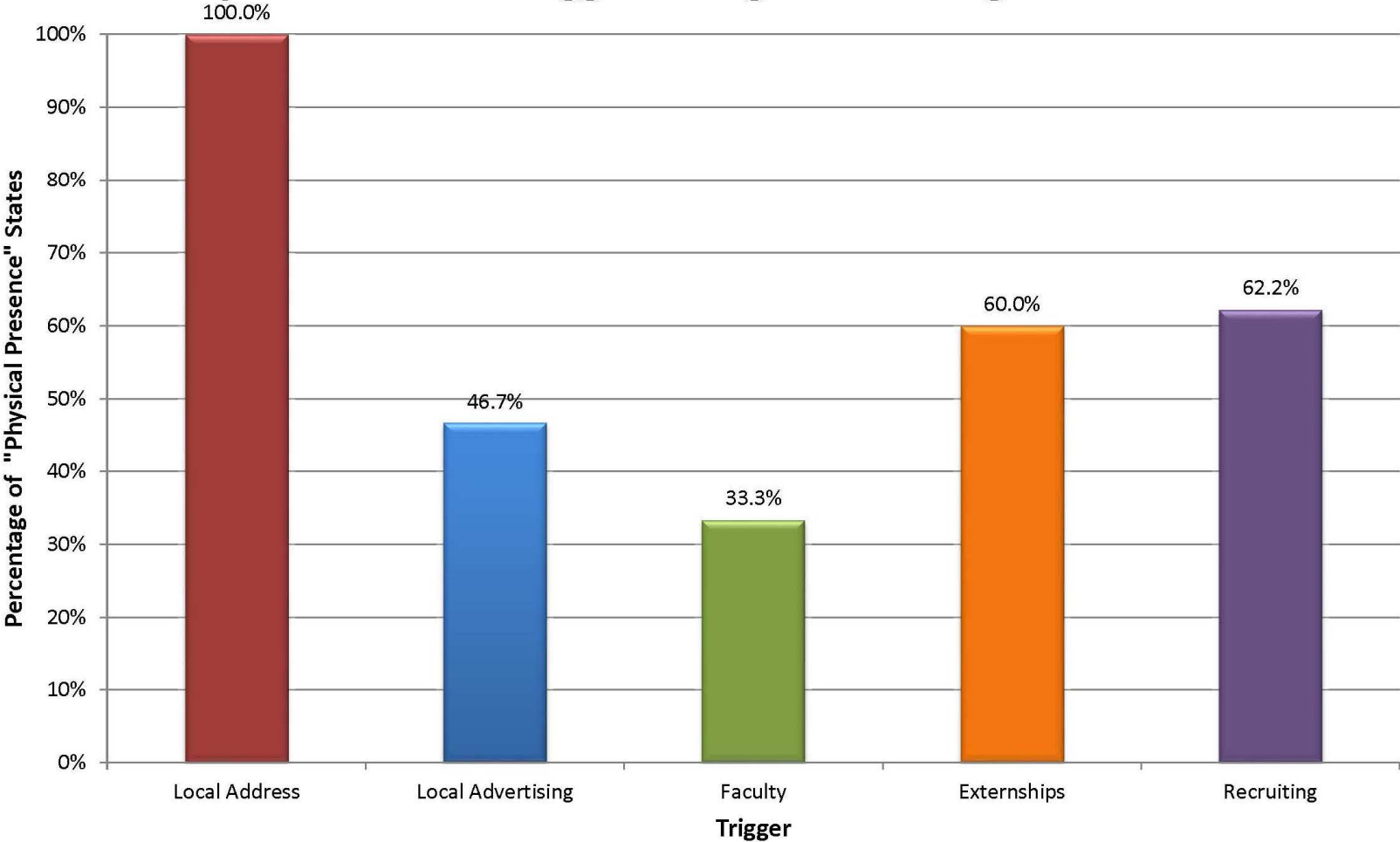
Physical Presence
Standard, 40 (74%)

Authorization Standards for Non-Degree Online Institutions by State



As of 1/17/2013

Physical Presence Triggers - Degree-Granting Institutions



As of 1/17/2013



Common Goals

- Institution's Goals
 - › Provide quality education
 - › Follow the rules to remain on the island
 - » No cease and desist letters
 - » No surprises when a student graduates and then can't get licensed in a state because of lack of authorization
 - » Understand the world of professional licensure

Florida

State Agency	Commission for Independent Education				
Jurisdiction	Private postsecondary institutions and out-of-state public institutions				
Authorization for an Exclusively Online Program	No				
Physical Presence Triggers	Local Address	Local Advertising	Faculty	Externships	Recruiting
	Yes	Yes	No*	Yes*	Yes*
Formal Requirements	<p>Institutions must obtain approval from the CIE if they operate in the state. "An institution operates in Florida if it: (a) maintains for any purpose related to offering a degree, diploma, or credit a physical location in Florida, a mailing address in the state, a telephone or facsimile number in the state, or a mail forwarding service or telephone answering or relay service in the state or advertising any such presence; or (b) by any means or device, facilitates in Florida any part of a scheme to offer a degree, diploma, or credit, or any activity connected with the administration, promotion, recruitment, placement, instruction, fee collection or receipt, or any other function of a purported independent postsecondary educational institution."</p> <p><i>Fla. Stat. Ann. § 1005.02(14)</i></p>				
Staff Guidance	<p>If faculty meet face-to-face with students in the state, authorization is required. Programs with only externship activities or limited recruiting may not need to obtain approval. Reviews for such programs are on a case-by-case basis. Sporadic recruiting in the state does not require authorization.</p>				
Agency Contact	<p>Address any questions to Samuel Ferguson, Executive Director; but, send the question to Susan Hood at 850-245-3206, susan.hood@fldoe.org</p>				
Web Access	<p>For regulations: http://www.fldoe.org/cie/rulesandlaw.asp For forms: http://www.fldoe.org/cie/nsa_app1.asp</p>				
Approval Processing Time	6 months				
Approval Process Overview	<p>Register as a corporation with the Secretary of State. Submit complete application and any additional information CIE staff requests.</p>				
Initial Fees	<p>Varies based on institutional characteristics. See http://www.fldoe.org/cie/pdf/chapter6E_rules.pdf</p>				
Renewal Fees	<p>See http://www.fldoe.org/cie/pdf/chapter6E_rules.pdf</p>				



State Agency	Commission for Independent Education
Authorization Period	1 year
Student Complaint Contact Information	Florida Commission for Independent Education 325 W. Gaines Street, Suite 1414, Tallahassee, FL 32399-0400 http://www.fldoe.org/cie/complaint.asp
Legislative & Regulatory Developments	None

Nebraska

State Agency	Board of Nursing	
Contact	Sheila Exstrom. Nursing Education Consultant 402-471-4917, Sheila.exstrom@nebraska.gov	
Web Access	Agency: http://dhhs.ne.gov/publichealth/Pages/crl_nursing_nursingindex.aspx Regulations: http://dhhs.ne.gov/Pages/reg_t172.aspx	
Programmatic Approval Required?	Required for institution to offer online Post-RN programs?	Required for institution to offer clinical experiences?
	No	No, but faculty must be licensed in NE or licensed in a Compact state.
Program Approval Process	Institutions offering online post-licensure nursing programs do not need to be approved in the state.	
Program Requirements for Advanced Licensure	<p>Students are eligible to become licensed as Advanced Practice Registered Nurses (APRN) in Nebraska. Applicants must be currently registered nurses in Nebraska, must have completed a master's or doctoral degree, and must have passed an approved credentialing examination. If applicants do not have 2000 hours of supervised practice as an APRN and cannot demonstrate 45 hours of coursework in pharmacotherapeutics, advanced health assessment, and pathophysiology or psychopathology, they must apply for "jointly approved protocols" with a collaborating physician. When these requirements are complete, APRNs will be eligible for full practice. A list of approved certifying examinations is in the regulations.</p> <p>Specializations: Certified Nurse Practitioner, Clinical Nurse Specialist, Certified Nurse-Midwife, Certified Registered Nurse Anesthetist</p>	
Staff Guidance	Nebraska is a member of the Nurse Licensure Compact, which allows registered nurses in member states to practice in Nebraska and faculty members from those states to oversee clinical experiences.	



State Agency	Board of Nursing
Institutional Authorization	No, unless the institution has a physical presence beyond enrolling students into an online program with a clinical component.
Legislative and Regulatory Updates	None



Common Goals

- States' Goals
 - › Consumer Protection



Forming Alliances:

- Producers had no such expectation
 - › Strength in numbers
 - › Get the players further in the game
- Institutions
 - › Yesterday's SAN meeting
 - › Best practices
 - › Join organizations
 - » NASASPS
 - » WCET/SAN
- Find that balance to seek and maintain compliance and remain on the island
- State reciprocity

Jonny Fairplay or Fair player?

- Remember why the rules exist
 - › Consumer Protection
 - › A couple of stories
- States want institutions to succeed
 - › FL Data
 - › FL Financial information
 - › Regulators are there to help
 - › Important part of your alliance





The State of State Authorization – The SHEEO Survey

- › **SHEEO-State Higher Education Executive Officers**
 - » Unit of analysis is agency NOT state
- › **Sent survey → verification and completion**
- › **Created agency write-ups**
- › **<http://www.sheeo.org/node/434>**



The State of State Authorization – The SHEEO Survey

- › **September 2011 / June 2012**
- › **There are 70 state agencies**
 - » 58 state agencies completed the survey
 - » 12 state agencies are missing

- Please note: Numbers above reflect the United States, the District of Columbia, and Puerto Rico. The numbers do NOT included the 7 US Territories.



The State of State Authorization – SHEEO Survey Results

- › **State definitions clarified**
 - » private institution (NV and FL)
 - » physical presence

- › **State web sites keep improving**
 - » Alaska
 - » Florida
 - » Utah

- › **The complaint process**
 - » up and running
 - » USDOE clarification



The State of State Authorization – SHEEO Survey Results

- › **3 states have added agencies:**
 - » Alabama
 - » Connecticut
 - » Indiana

- › **Hawaii is working on a state authorization process**

- › **State agencies that require authorization regardless of physical presence:**
 - » 2011 - 12
 - » 2012 - 16

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The State of State Authorization – SHEEO Survey Results

16 state agencies that required authorization regardless of physical presence:

- › Alabama Commission for Higher Education
- › Alabama Department of Postsecondary Education
- › Arkansas Higher Education Coordinating Board
- › Colorado Department of Higher Education,
Division of Private Occupational Schools
- › Maryland Higher Education Commission
- › Minnesota Office of Higher Education
- › Missouri Department of Higher Education
- › Montana University System, Montana Board of Regents

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The State of State Authorization – SHEEO Survey Results

Continued:

- › Nebraska Department of Education, Private Postsecondary Career Schools
- › Nevada Commission on Postsecondary Education
- › The Oklahoma Board of Private Schools
- › Pennsylvania Department of Education
- › Texas Workforce Commission
- › Utah Division of Consumer Protection
- › Wisconsin Educational Approval Board
- › Wyoming Department of Education

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The State of State Authorization – SHEEO Survey Results

Although individual states made changes – the overall national trend is the same...

- › We did not see the majority of states moving away from complex regulations/policies
- › We did not see the majority of states pushing through new state legislation on state authorization



The State of State Authorization – Common Questions

- › **Is there a list of “hard” states?**
 - » Private/Public; Not for Profit/For Profit; Degree/Non-Degree
- › **If an institution offers non-degree courses/programs – we don’t need to worry about state authorization, right?**
- › **What about the U.S. territories?**
- › **My institution is authorized... now what?**

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The State of State Authorization – Stay Tuned...

- › **United States Department of Education (USDOE)**
- › **United States Department of Defense (USDOD)**
- › **Massive Open Online Courses (MOOCs)**
- › **Reciprocity**

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Thank you!

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