

PUBLIC AND INDIVIDUAL DISCLOSURES CHECKLISTS

(34 CFR 668.43 INSTITUTIONAL DISCLOSURES FOR PROFESSIONAL LICENSURE AND DISTANCE EDUCATION OR CORRESPONDENCE PROGRAMS)

The disclosure checklists provided in Sections 1 and 2 present a list of required and suggested items for institutions to adapt or consider including in public professional licensure and location change disclosures. Section 3 provides additional information about adverse action communications. Section 4 focuses on individual disclosures for professional licensure programs. Each suggested component may not apply to all institutions.

IMPORTANT: Institutions should seek guidance and approval of licensure disclosures through their institutional legal counsel. This information is not intended to be used as a substitute for legal guidance.

SECTION 1: Public Professional Licensure Disclosures

For prospective and enrolled students. Public professional licensure program disclosures can be published in all print and/or online material associated with a professional licensure program. Public disclosure language can also be used in required individual disclosures (see Section 4, Individual Disclosures).

TIP: First determine where the disclosure will be located to determine whether the intended audience is prospective student, enrolled students, or both. Next, determine the information necessary for the intended audience.

PUBLIC PROFESSIONAL LICENSURE DISCLOSURES CHECKLIST:

668.43(a) Institutional information that the institution must make readily available to enrolled and prospective students under this subpart includes, but is not limited to

Suggested/Required Components of a Professional Licensure Disclosure:	Regulation code
Provide explanation regarding why students are receiving the disclosure	Best practice
Identify whether the institution is authorized by the state in which enrolled students reside	34 CFR 668.43(a)(6)
Identify whether the institution is authorized by a state authorization reciprocity agreement - if applicable	& 34 CFR 668.72(n)
Identify the licensure program and the license/certification students will be eligible to apply for upon completion of the program	Best practice
Provide a link to the applicable state licensure board website	Best practice
Indicate in which states the institution has determined that the licensure program meets the educational requirements, does not meet educational requirements, or has not made the determination for graduates to be eligible to apply for licensure - for each state (can be linked to a table that lists this state-by-state information)	668.43(a)(5)(v)(A) - (C)
Provide contact information where students can send inquiries to the institution (e.g., academic advising, compliance office, admissions etc.)	Best practice

	<p>Provide contact information for filing complaints with its accreditor, state approval or licensing entity, and any other state agency that would appropriately handle the student’s complaint. Note: This statement can be separate from program disclosures)</p>	<p>34 CFR 668.43 (b)</p>
	<p>Provide institution’s policy for enrolled/prospective students who change their physical location to another state/country and include an explanation of the consequences (e.g., ineligibility for title IV, HEA funds, etc.). Note: This statement is for a student who changes their State of residence to a State where the institution is not authorized or approved to conduct educational activities in the State or where the program does not meet licensure or certification requirements in the State</p>	<p>Best practice (prospective student defined in 34 CFR 668.402)</p>

SECTION 2: Public Location Change Disclosures

Current and prospective students need to be aware of the importance of their physical location while enrolled in online courses/programs or completing internship, practicum, or clinical hours required by the program in which they are enrolled. Below are suggestions on what to communicate to students to ensure they are aware that changing their physical location may impact their ability to take online courses, continue in online programs, or complete internship, practicum, or clinical hours. A location change disclosure can double as an approved policy and could be placed in the university catalog, enrollment agreements, and/or on a page during course registration.

PUBLIC LOCATION CHANGE DISCLOSURES CHECKLIST:

Suggested Components of a Location Change Disclosure:	
	<p>Why does the institution need to track students’ physical location? Who is the authority? (e.g. federal and state regulations - possibly provide link to regulation language, if necessary)</p>
	<p>How will changing locations affect students? (e.g., hinder acceptance into an online program or enrollment into an online course, etc.)</p>
	<p>What other activities are affected by where students are physically located? (clinical placements, internships, service learning, etc.)</p>
	<p>Instructions for students if they plan to change or have changed their location</p>
	<p>Include who the disclosure applies to</p>

SECTION 3: Public Adverse Actions Communication (for the institution)

Institutions must provide notice to the public if an enforcement action or prosecution is brought against the institution by a State or Federal law enforcement agency in any matter where a final judgment against the institution, if rendered, would result in an adverse action by an accrediting agency against the institution, revocation of State authorization, or limitation, suspension, or termination of eligibility under title IV. (CFR 34 §668.43(a)(20))

SECTION 4: Individualized Disclosures for Professional Licensure Programs

Institutions must communicate individually and directly to prospective and currently enrolled students regarding whether a licensure program meets the educational requirements for licensure or certification in the state where the student is located. The checklist below is based on section 34 CFR 668.43(c) and lists the information institutions are required to disclose directly and individually to each enrolled and/or prospective student. Please note that some disclosures are to be distributed within a certain time period, which is also indicated below.

Institutions may also choose to provide disclosures directly through the institution’s application or enrollment agreement. Acknowledgement of receipt can be collected when a student completes those agreements, but student acknowledgement is not a regulatory requirement.

INDIVIDUALIZED DISCLOSURES FOR PROFESSIONAL LICENSURE PROGRAMS CHECKLIST:

668.43(c) Required Individualized Disclosures		Regulation Code
<p>Prior to enrollment, institutions must disclose in writing directly to each prospective student when a program does not meet the educational requirements for licensure or certification OR if the institution has not yet made a determination regarding whether the program’s curriculum meets licensure/certification requirements in the state the student is located.</p> <p>For students who received these disclosures and subsequently enrolled, institutions may collect a record of acknowledgement from students as proof that they received this disclosure prior to enrollment. (Not required, but strongly recommended.)</p>	34 CFR 668.43(c)(1)	
<p>If a licensure program’s curriculum no longer meets the licensure or certification requirements of a State, institutions must directly notify currently enrolled students within 14 days of the determination.</p>	34 CFR 668.43(c)(2)	

Important reminder:

As higher education professionals, we are obligated by federal law - by way of our institutions - to bear the responsibility in determining whether our own programs meet criteria for licensure or certification in the states where our prospective and enrolled students are located. (34 CFR 668.72-74)

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