

Professional Licensure Notifications in a Nutshell

This notifications in a nutshell document provides general regulatory analysis, but not legal advice. Institutions should review this analysis to develop processes at the institution under the direction and confirmation of your General Counsel to meet acceptable legal risk.

Key Components:

1. Understand the type of Educational Program subject to notifications (including all modalities).
2. Know the information that must be provided for public notifications.
3. Know what and when information must be provided for direct/individualized notification.

Effective Dates:

- Effective Date of Federal Regulations 34 CFR 668.43 (a)(5)(v) & 34 CFR 668.43(c): July 1, 2020.
- Effective date of revised NC-SARA Manual Section 5.2: Version 20.2: June 15, 2020 (direct notifications have been required for SARA participation since the institution submitted the original application).

Educational Programs subject to notifications:

- For Federal regulations – ALL educational programs as described in the regulation, regardless of modality.
- For SARA compliance – courses or programs subject to SARA Policy as per the SARA Manual.
- Programs that meet the following regulatory description of Educational Programs:
 1. **Designed** to meet educational requirements
 - for a **specific professional** license or certification that is
 - **required for employment** in an occupation, or
 2. **Advertised** as meeting such requirement.
 3. **Information** regarding whether **completion of that program** would be sufficient to **meet licensure requirements in a State** for that occupation.

Public Notifications: (34 CFR 668.43(a)(5)(v)) – publicly available/website

- Must address **all 50 states and territories**
 - List of states where the curriculum DOES meet state educational requirements.
 - List of states where the curriculum DOES NOT meet state educational requirements.
 - List of states where the institution HAS NOT MADE A DETERMINATION.

Direct notifications: (34 CFR 668.43(c)) –

- **Required for Prospective Students:** if the institution indicates DOES NOT meet state educational requirements or NO DETERMINATION where the prospective student is located, a notice to that effect must go to the student prior to enrollment in the program.
 - Prior to enrollment in the program means prior to the student signing an enrollment agreement or in the event that an institution does not provide an enrollment agreement, before the student makes a financial commitment to the institution. (As provided in the Federal Register Announcement)
- **Required for Enrolled Students:** if the institution indicates DOES NOT meet the state educational requirements in the location where the enrolled student is located, the notice to that effect must be provided to the enrolled student within 14 calendar days of the institution making that determination.