Kathryn Kerensky: (Silence) Hello, everyone. I am pleased to welcome you today to today's WCET State Authorization Network webcast, Compliance Worldwide: Institutional Approaches to International Compliance. Next slide. My name is Kathryn Kerensky. I'm the Director of Digital Learning, Policy and Ccompliance for the WCET State Authorization Network, or SAN. I am happy to be the host and moderator for today's webinar. The SAN team understands the challenges of understanding the legal and regulatory landscape when it comes to understanding and managing compliance management in locations outside of the United States. That is why we're excited to be talking to you today about institutional approaches to international compliance, something that is increasingly important as institutions expand operations globally. We are pleased to have our colleagues from Embry–Riddle Aeronautical University and the University of Kentucky sharing their insights and experiences in managing international compliance at their respective institutions. This webinar is being recorded, and the recording, slide deck, presenter biographies, transcript, and other resources will be available on the SAN website. Next slide, please.

So just a little bit about SAN and who we are. So the State Authorization Network is a national organization of more than 800 institutions and agencies. SAN's mission is to empower members to successfully resolve post-secondary educational technology regulatory challenges. As a staff, we provide training support and opportunities to institutional staff and to various agencies to collaborate and bring practical, sound implementation practice for state and federal regulatory compliance to the forefront. SAN assisted members to stay apprised of timely issues, which touch out-of-state activities and digital learning. Next slide, please.

We want to thank all those who registered for today's event and for being here today, and for submitting your questions to our presenters. Your questions provided valuable information for developing the substance of today's presentation. Our speakers use that information to guide their presentations and to formalize discussion items for their panel discussion. Additionally, your questions help the SAN team with the current and future development of additional resources and programming of use and importance to you all. We encourage you to use the chat box for questions and comments as we move through today's events. Due to questions being submitted ahead of time, it is likely that most questions will be addressed as part of the presentations and panel discussion, but we will monitor the chat for any additional questions. Next slide, please.

So the agenda for today, how it's going to go, I'm going to start by setting the table for our presenters with a high level overview of key points to keep in mind when it comes to international compliance and highlighting some of the resources that are available to assist institutions in starting this work on the SAN website. I will then introduce and pass it over to the presenters to give them time for short presentations and contextual information on the work at their institutions. We would then have a panel discussion with all of our presenters answering questions submitted in the registration forms. I also wanted to briefly note an important note for today's webinar, WCET and SAN believe it's helpful to showcase institutional examples of compliance strategies so that others can consider multiple options and interpretations to make a reasonable good faith effort to implement a compliance plan that works for their institution.

As with many areas of compliance, the exact steps you would take at your institution may vary, and there's not necessarily one right way to do the work. So to the extent that panelists may reference specific country examples or specific processes to illustrate an example, it should be noted that it's important to conduct your own research to verify requirements and obtain proper documentation. And the information should not be considered legal advice. It's always important to consult with institution counsel and/or senior leadership on questions of legal risk and compliance strategy. Next slide, please. To start with the substantive content of today's webinar, I wanted to briefly discuss some key points as they relate to international compliance. Similar to authorization in the United States, institutions that offer courses and activities outside of the United States should determine if the activity is regulated in the country where the activity occurs. An expansion of the institutions out-of-state or country footprint may increase its regulatory obligations pursuant to the respective country's procedures and laws.

A general rule of thumb is that it is within a state or country's purview to regulate activities which occur within its borders. This oversight includes education. And if an institution operates in multiple states or countries, it is important to be aware of the rules pertaining to activities where they occur. Tracking location allows institutions to know which laws may apply. It is key to know the location of your students and the institution's out-of-state country activities. Tracking location provides benefits to the institution by providing valuable data to develop what strategy is to support those students, where they're located to make budgetary, marketing and support decisions, and of course to allow institutions to know which laws may apply. Similar to issues that may arise in the United States when considering what laws may apply, you see on this slide there's some issues to consider that may apply. They include institutional approval, professional licensure, and then other consumer protection or data privacy requirements. And again, these will vary by state and by country in this instance. Next slide, please.

We wanted to be sure to show you all here today the resources that are currently available on the website. The links of these resources are available in the slide deck, which will be made available after our webinar. In addition to these resources, you may want to review the information on the SANsational Award. The SANsational Award recognizes outstanding efforts by SAN member institutions and organizations in developing a high quality solution to a challenging state authorization issue. Although international compliance is not a specific category, the award winners developed many generally thorough practices which may have application to international compliance, such as location tracking, and there are numerous resources on the SAN website that discuss determining students locations. We encourage you to also use the wcetMIX communities to submit questions or connect with your colleagues on questions, issues, and compliance strategies. Next slide, please.

My final point here is to share this resource that our presenters put together. Based on their knowledge and collective expertise, they thought it might be helpful to illustrate via this table some of the common institutional contexts and stakeholders that you may need to connect with relating to international compliance, and describing very generally the issues on which each stakeholder may be a resource. We're thankful to each of them for conceptualizing and putting together this resource guide, and we hope that the resources linked on these slides serve as a good starting point. Next slide, please. All right. Now I'm going to introduce all of our presenters to allow them to move through the content of their presentation. After the University of Kentucky's presentation, I will rejoin to facilitate the panel discussion. I am so happy to introduce Rachel Durrance and Bree Meinberg.

Rachel is the associate director of state authorization and workforce development, and Bree is the director of state authorizations and workforce development at Embry–Riddle Aeronautical University. With over 100 campuses in 30 states across the country, Embry-Riddle has one of the most extensive state authorizations operations in the country. We will then have a presentation from the University of Kentucky, and today we have Christina S. Walker and Emily Woods. Christina is the compliance analyst, and Emily is the compliance coordinator at the University of Kentucky. Christina and Emily manage compliance for literally 100s of programs and have conducted tracked authorization extensively for their institution. Each presenter's bio can also be found on the event page on the SAN website. All of our presenters have a wealth of knowledge and experience, and we are grateful to each of them for sharing their experiences with us today. So now I'd like to pass it over to our colleagues at Embry-Riddle to begin their presentation.

Bree Meinberg: Thank you, Kathryn. So as Kathryn said, my name's Bree Meinberg, and this is my associate, Rachel Durrance, and we are here representing Embry–Riddle Aeronautical University. And like Kathryn mentioned, every school is different, scope of activities are different, and so what we're providing here is our kind of best practices and processes. And like Kathryn shared on the previous or two slides back, all those resources we use every day, and so that's I think going to answer kind of a handful of questions. There we go. Thank you so much. As far as internally where to start, we'll talk more about the external resources, but we thought this was a really good resource for everyone to have as a takeaway, and that way we don't have to get into about 20 individual questions that were on there, that hopefully this will be something that's helpful to you.

So other than the institutional resources, when you talk about getting started, the first thing we do at Embry-Riddle is we assess the scope of our activities.

And what that means for us is answering a couple of questions. The first questions being whether it's online or onsite activities, are we talking about purely offering an online course to somebody in a foreign country, or are we talking about an internship placement on ground, or actually opening a campus in a foreign country. And so that's the first thing we assess. And then the second piece of that is, if you are talking about an onsite activity of some kind, are you talking about US military installations or local population? So at Embry-Riddle, we have a combination of all of those activities. We have activities on ground in 15 countries, and those are a combination of military sites and local international sites.

And so depending on which one of those things you're looking at will guide the direction of your research. And so first question, online or onsite. If it's online, you go down kind of a broad path of research. You identify the local resource for education... Usually it's a ministry of higher education or something similar, and then you start to assess the individual regulations there. If you're talking about onsite activities, the process gets a little bit more complicated. And so when I say a little bit, I mean a lot more complicated. So what do you do initially when your you're talking military or non-military? If you're looking at opening a US military site or conducting activities on a US military installation, the first thing you want to do is visit the DOD website. They have contracts awarded to institutions. In Europe, it's called the tri-services agreement. In the Pacific military command, it's called the [inaudible 00:11:44] contract. And if you're interested in actually conducting activities on base, you've got to bid on that contract. And so before you can do anything, you have to go through that bidding process.

They do a non-compete review. It's a very extensive process, and ultimately you end with a memorandum of understanding and a contract in place. It's actually a lengthy process, but it's very similar to state authorizations. It's a US-based process. You're not dealing with local ministries of education. When you are conducting activities on a US military installation, as a general rule, that is considered the same legally as conducting business in the United States. So you don't generally have to deal with the local national country. And if you are working on a military contract, these specifics details are going to be outlined in your contract.

So if you do bid on a contract, you'll know, based on the country you're in, the contract you're bidding on whether or not this is considered US territory, or if you do have to deal with any of the local educational laws as well. Now, if you are not talking about a US military installation, you're talking about a local operation of some kind, we have those in three countries with our campuses, one in Brazil, one in Germany, and one in Singapore. And for each of those, we actually had to create a standalone incorporation. In Germany, the term for incorporation is a GmbH, in Singapore, I don't remember the terminology, but you have to go through a legal authorization to build a business in that country first.

So actually, when you talk about our operations in other countries, they're actually their own business. They fall under the US umbrella here, but they are actually incorporated, they have a separate managing director, and so you really do have to go through that fully extensive process. And that always starts with the ministry of education, and then you work out from there and find your different local contacts there. So when you're talking about onsite activities, under no circumstances do you proceed unless you've gotten explicit written authorization from all the appropriate parties. Online activities, you have a little bit more of broad latitude there. When you're talking about online, you deal with, a lot of times, there is no authorization requirement. You want to research it and you want to understand what their expectations are, but more often than not what you're going to be looking at is whether or not that credential is going to be accepted in that country, as opposed to whether or not you can offer it.

There are some places that do limit online activities and have certain standards in place, but these are areas where you're going to want to work with your general counsel’s office and make a risk assessment. For example, if you reach out to a point of contact 10 times, and you don't hear anything back, make a determination with your general counsel on comfort level of proceeding. So before I go into any more detail on that, I'm going to... If we could go to the next slide, and I'd like to have Rachel talk about some of those more specific details about that. Rachel?

Rachel Durrance: Sure. Thanks. So the first thing for us getting started, obviously assessing what you're going to be doing, on ground, online, what your activities are going to look like. And then after that, honestly, Google is your best friend. It's how we start really anything we're researching, especially outside of the United States, you're going to Google it. You're going to Google the country, you're going to Google their ministry of education, and then look at that page, see what kind of information you can get off it, if they have anything out there. And then if you find that it's not under the ministry of education, looking through their other entities to see if it's just kind of housed somewhere else. That does happen sometimes. Sometimes they're in interesting places where you're not expecting it to be, so you just kind of have to keep a lookout for those, and Google really is going to help you a lot.

The next thing, as all of you probably have seen, most of these pages are not in English. If you're looking outside the United States, not unusual, makes sense. Typically you can use Google translate to help translate the page. It's not going to be an exact translation, but it will help you kind of get a start on what you're looking for. If you can't translate the page into English, then that's where you're going to have to look outside of your institution to see if you can hire someone to help you translate the page, or look inside your institution to see if you have any resources like a language department that may be able to help you move forward with that.

Like Bree said, so if you find a point of contact and you figured out exactly what your activities are going to be, what you want to reach out to them about, and they don't answer, like we've said, you want to document multiple attempts that you've made. If you call, if you email, if you send something via the mail, you want to document all of those things and keep those in your internal records. So if you do make a risk assessment and decide to move forward with offering online, and then comes back saying you can't do that, you can pull your records out and say, here's all the times we reached out, here's who we reached out to, how long we waited, what we did. Excuse me.

And then finally, if you still [inaudible 00:16:50] things, you're reaching out, sending a letter in conjunction with your general counsel, or you've decided that we're going to say that we're going to begin these activities, here's the date, here's what we're going to do, and you send that out as your final attempt to reach out, that'll be your most important one, keeping all of those things together. Obviously all of these things going through your general counsel’s office is the most important piece, figuring out what risks they're willing to take, what risks they're not willing to take, and moving forward from there as an institution. So next slide.

Bree Meinberg: So just some additional helpful hints. I think we've touched on most of these. The English language pages is going to be a challenge. You're going to find most pages are not going to have an English version. Some of them will. You'll see the example we listed here of where to find... It's usually at the top bar if there is an option to translate the page, or sometimes it's not a translation, there's a separate English landing page. Utilize that, but if not, we've had a lot of success in utilizing our internal faculty resources. You're not going to have every language, but when you're dealing with a lot of the more commonly spoken languages, if your institution teaches them, then you've got somebody there that speaks it. And we have never had any pushback from faculty if we've said... More often than not they're really excited to be able to help with this kind of thing and participate and support these processes.

So definitely look at your faculty resources if you get stuck with where you just can't get anywhere on the language. And then there are times where, if you get to a certain point in the process, that you're going to need to actually hire out translation services. But we know and we started by saying, our number one thing is Google. We as an institution have a lot of international activities, but we also don't have a massive department to handle all of this. Like most of you on these calls, we're very tiny teams, and we work with the resources that we have, and free resources as often as possible. And so we're all in the same boat. We're using the same processes. Every research project for us starts with a Google search, and then works out from there.

And then once we get to a certain level of research and where we have the main information, then that's where we start to draw on additional internal resources, or if you're ready to proceed, then you find some local representation. One of the big things if you are ever looking at opening a physical location or conducting onsite activities in a foreign country, is to find local legal representation. Your general counsel is the place to start for that. I know for our services, they have a network that they work within of lawyers in other countries that they can reach out to and contract with to support the activities. But your internal general counsel is going to have limitations on what they're able to do in foreign countries as well. Even if they have the knowledge of it, they're not going to have the authority to do certain things.

So when you get to a certain stage, you are going to have to invest in some resources, but for online activities and internships and that sort of thing, more often than not you can work with what you have. And then I would also just say to be very careful about any sort of sanctions. There are countries where you're not allowed to enroll students either online or on your campus for international admissions either, and so just keep an eye on that. We included the code of federal regulations where that information can be found. So go on to the next slide, and I think we're going to turn it over to University of Kentucky.

Christina S. Walker: Awesome. Thank you so much. That was much needed information, so thank you for providing that. Just to get right into things, I'm Christina Walker again. I use she and her pronouns. And my colleague...

Emily Woods: Oh, sorry. And I'm Emily Woods, and I am the compliance coordinator for UK.

Christina S. Walker: Awesome. And just to provide a little bit of context, because obviously the amounts and the type of programs that you have are going to be a basis for how you may choose to approach international authorization or compliance, and so we have over 200 plus programs just between myself and Emily that we oversee compliance efforts for. And then of those programs, about 80 and more, as they continue to grow periodically, are licensure programs. And so obviously because we're dealing with online programs and programs that may have distance learning components, they also may have international authorization implications as well should we decide or desire to have one of those activities cross over into international borders. Next slide, please. And so in terms of the rationale or the why as to why we decided to approach international compliance on such a massive scale, if you read the slide previously, you'll see that we are currently tracking international authorization for over 100 countries.

Well, of course you were in it, the COVID-19 summer, it was a scramble, a panic to try to answer the question as to, from an equitable and inclusive perspective, how are we going to make sure that our international students still have access to education and be able to do that in a legally compliant manner. So essentially we had all these international inquiries coming in. Can we do this here? No. Yes. What does this entail? All these different things. And so we essentially, between myself and Emily, we just had this long list and we were just like, okay, let's just scratch everything off the list, first come, first serve. Okay. Let's just research everything. Some of the sources that we utilized and we continue to utilize are LexisNexis. Also there's certain websites that may allow you to look at the quality assurance processes when that gets into is a degree recognized, approval processes, things of that nature, track taxes.

Also, the treasury government website, look at sanctions that are available against other countries, and so things of that nature. But of course we encountered many barriers and impediments along the way through our research, and some of the things of course that Embry-Riddle mentioned, sometimes the laws or regulations were not in English, and so we had to look to resources to be able to translate those. Also another big thing is sometimes the laws or regulations may not actually address specifically the question that we're looking to address, so how do we go about it, how do we approach it if the law doesn't specifically mention it, or if it's vague. And so this led us to, in light of those impediments and barriers, to determine a strategy to approach those risks, and Emily will go further into that.

Emily Woods: Thanks, Christina. Yeah. So that action plan with our legal counsel was a critical step in the beginning to kind of determine as we were doing our research, if we came up cross a barrier, how are we going to determine the status of that country if we were authorized or not. So we came up with three categories. One was authorized, where we're able to provide an online program in a country, limited authorization, if there were some limitations or obstacles that needed to be overcome in order to offer it there, maybe it's a case by case basis, we need to look at that students situation or the program that they want to have, and the third one is not authorized. So either maybe there's a sanction, maybe there's a regulation specifically that addresses no foreign institutions allowed to offer that online program in their country.

So with those kind of three statuses, once we researched the country, we were able to determine that category. And we still kept in touch with legal, but it kept us from having to ask UK Legal every country that there was, we could kind of have an approach of, if we see this, if we come across this situation, this means it's going to go in that category or use that status. So that really helped having that action plan with UK Legal Counsel. And with those statuses, that kind of led to our step number four here, and that was how do we communicate to all of our programs across a campus that's very decentralized with several programs and colleges that are all looking and needing answers, especially during COVID? So we created a dashboard that had all of these countries, the contacts for their ministry of education, and then the status that we put them in.

So again, it was either authorized, limited authorization, or not authorized. And then there were notes. If there were notes that specifically addressed something that we thought the program needed to know, we put that in there as well. But that could be updated regularly on time, so programs across the institution could take a look and see, okay, we're authorized to offer our program in Argentina, oh, we're not authorized to offer our program in Iran. So it was a very easy way for only having us to be able to communicate to the whole campus the authorization for all of these countries.

And our first step... And we're kind of in the middle of this now, is now streamlining all of our different offices across campus, the international center, our finance office, legal counsel, to all have this streamlined process where we can quickly get back to a student when they've requested or inquired, hey, can I take this program while in my country, that we can get back to them very quickly. And that's of course always improving, always continuous improvement, but that is where Christina and I have... That's kind of the state we're in now. And you'll be able to see that dashboard later on when they publish these slides. I think next slide.

Kathryn Kerensky: All right. Thank you both. That was great. Thank you for those introductions to the scope of your work and some insight into your processes. So now we're going to use the questions that were submitted through the registration form to dive deeper into some of these common themes that you both touched on in your presentations. So as you can imagine, many of the questions that we received were just looking for suggestions on where to begin generally. So my first question to you all is, from your experiences, what suggestions would you give to others who are just getting started into understanding this regulatory landscape on an international scale? And we could start with Embry-Riddle.

Rachel Durrance: Hi. So like I said, Google. Once you figure out what the scope of your institution's activities are going to be, really starting at Google, looking at what countries you want to go into, what you want to do there, kind of Googling, finding those ministries of education, finding those points of context. You can also look at other institutions websites, see what they have out there regarding the international compliance, see if they have any links or any contacts out there that maybe you could help start with. And then once you've kind of figured out what you're going to do, what countries you want to look at, I would also suggest sitting down with your general counsel’s office, and once you have decided what kind of risk you're willing to take, what you're looking at doing, template how we are going to reach out to these different ministries of education.

So kind of, here's an email template of all the information that we want to put out there, so that you're sending the same information out to all of these different countries, and not leaving something out that could be really important, or adding too much information that you don't really want to put out there yet. So really putting that together, so you have a really concise plan and you have really concise information that you're sending out to these countries, so if you do get a response back, you're not dumping too much on them or not giving them enough that they can't really give you an answer. Do you want to add to that, Bree?

Bree Meinberg: I think the only thing I would add to that is also... She mentioned talking with your general counsel, also talking to your leadership in general, making sure that their expectations are realistic, that they understand the risks, that they understand that this isn't going to be an overnight process. I think securing that buy-in and that understanding from your leadership is going to be important, because as anybody who's dealt with this knows, this isn't something that happens overnight, it's not a straight line to the end result, there's usually some zigs and zags along the way to get where you want to go. And so making sure that the lines of communication are open and the expectations are realistic when it comes to what you're able to do and what your leader is comfortable with. UK, do you want to add on to that?

Christina S. Walker: I think they mentioned everything a lot of time. I won't just echo it, but in addition to that, I would say definitely corresponding with the different units, depending on how your university or institution is broken up. Because for example, with UK, we have international, a definition of a traditional international student, but then we also have an international landscape where someone's outside of the US taking a course from an international location. So sometimes that can get murky, and you want to make sure that you don't overstep or intrude into what another unit is doing so that it's not different policies that contradict each other. It's best to work with each other to try to say, okay, how can we clarify what this process is going to be?

Emily Woods: I agree. And the only thing I would also add is, when you're working with your general counsel, make a list of questions that you're going to ask about each country you're researching. Just because you go to the ministry of education to look at authorization, doesn't mean they're going to have information about tax risks. So you'll want to have a list, like have I looked at the tax liability information, have I looked at are there any sanctions for this country, does the ministry of education give authorization, will this country even recognize the degree. Not all of those are in the same place, so you'll want to have a list of questions that you're asking for each country.

Kathryn Kerensky: All right. Thank you both. You all kind of touched on this, but a commonly-raised question was relating into institutional organization and the capacity to manage. So for a institution maybe, like I said, they're getting new to this thing, maybe they don't know who to contact or exactly how to raise these issues, how do you think people can have the conversation about risk management, identifying what the risks are, and then also the allocation of staff time and expertise to managing compliance on this scale when resources might be tight? We can start with University of Kentucky.

Christina S. Walker: I would say this is one question that's hard to generalize in terms of an answer, because it's really going to depend on the institution. For example, if you have a smaller institution, you might say, hey, it's rare that we get so many international students from all of these locations, so let's only focus on these five locations that our international population seems to be coming from. So we only have the manpower to do this, let's go ahead and focus on this, versus a bigger institution may say, hey, we don't have the expertise in this, but we can engage outside counsel. We have the bandwidth, as well as the funds to be able to pay for this. So that's really going to depend on how your institution would approach that and how many stakeholders are involved.

Emily Woods: Yeah. And to echo Christina, cost is going to be a very important factor, which is why it's important to discuss this with your administration, in addition to your general counsel, because they're going to need to make decisions about who's going to pay for external legal counsel, who's going to pay for any authorization amounts. Have those decisions made beforehand.

Bree Meinberg: Yeah, I would absolutely agree with that. I think that kind of goes back to the conversation of making sure that you're open with your expectations, and what the process is with leadership, and making sure... I know with us, we try not to reinvent the wheel. And so if we have a similar process, or I know for us, we have a committee that we utilize for any time we launch new degree programs or we implement a new site somewhere, and so we've found that that same committee are most of the same people we're going to need when we do something internationally as well. And so we look at what we have structure-wise and existence and say, okay, we can at least start that conversation by convening this committee together, have that first discussion, let everybody know what our intentions are, find out right out the gate what the concerns are, what the issues are, and then be able to break it down and start dealing with the individual groups.

But it is, especially when you're dealing with something like this where there's a wide variety of offices that you're going to work with... And that's back to that chart we put together on the side. That kind of gives you a little bit of a breakdown. Your offices might be named something a little bit different. But those are the stakeholders that we work with all the time, and so our first step is to say, all right, let's get everybody's input, and then narrow down the ones that we really need to be working closely with. And that also helps us develop that budget that Emily was talking about and be able to then go back to leadership and say, okay, here's what our big hurdles are going to be, here's the big costs, here's who consultants or outside legal counsel that we need to hire.

And again, all of that helps us build that realistic expectation. And I think when you're talking about dealing within your organization, particularly I know that some questions were raised about working with your leadership, and I think all of these are those factors that make the communication sufficient. You can talk to your leadership all you want, but if you're not bringing them the right information, then it's not going to do any good. And so I would say when it comes to working up and delegating up and managing those expectations from above, is to just be as thorough as possible, and honestly, start with your worst case scenario, and then they can be pleasantly surprised when it's less expensive and less cumbersome.

But we do always kind of say... It's kind of a joke of like, when state authorization comes in to a meeting, everybody kind of holds their breath, because we're going to tell them something tough. And then we do that, but then we prepare them for it, then we aren't going to have to come back later and say, well, actually it's more expensive than we thought. It's better to go back and tell them it's cheaper than you thought than the other way around. So I think bringing the right information and the right stakeholders to the table is really essential to the internal process. Do you want to add anything to that, Rachel?

Rachel Durrance: No, I think you covered it. I think it really is looking at what your institution wants to do too. So kind of in that plan, those initial conversations determining what are they looking at doing, are they just looking at doing online? Well, that's different. Less research, there's less hurdles that you're going to run into. But if you're looking at opening a full site, then that's a lot of different things and a lot more costs and a lot more other things associated with that that they may not take into consideration, like Emily was saying, the taxation and all those other types of things that you don't really think about initially, and they probably definitely don't think about. And so really just looking at those things and making sure they have a clear understanding of what they want to do, what they want you to do, and then how you're going to be able to do that.

Kathryn Kerensky: That's great. Those are some good points. I know there was a question in the chat about a list of countries where all programs are generally authorized. That might be in reference to the University of Kentucky's international distance learning dashboard. And as Emily said... I believe it was Emily in her part of the presentation, that that would be available as a link in the slide deck. And I believe it was shared in the chat. So it's always a good starting point for specific questions, but as they've said, and as I emphasize, that's just a starting point.

Even if you look at this information, you want to make sure you take it back and get it individually documented yourself, and then sharing it with your leadership or your counsel at your institution to determine how your institution will approach that. So on the topic of resources, there's a lot of questions about that. Aside from a country's official government or ministry of education websites, were there any particularly good resources to use regarding international compliance and to find especially these links to these regulations, and what are the best resources for reliable information? We could start with Embry-Riddle.

Bree Meinberg: So we have various resources that we use. I know that one of them that I provided in our [inaudible 00:39:22] was the study in the states. It's a DHS site. It really is working kind of in the opposite direction, but it's working kind of towards the students that are looking to work with an American university. So it's a different perspective, but it also does provide a lot of the resources that you need and is a good starting point. Again, we've never really found in what we've utilized a kind of a one-stop shop. And so... Thank you, Kathryn. And so for our efforts, we really will start at a couple places like this. We always kind of start at the US federal website. We started anything from the Federal Department of Education, Department of Homeland Security, ICE.

We look at the US federal requirements first, and then we work out to the international requirements. And so when it really comes to the international requirements, it goes back to, we start with a Google search, and making sure we're narrowing down our search, finding the right terms and finding, if anything, resources in English, wherever possible. There are a few other sources out there, and honestly, I can't tell you the exact website off the top of my head, but we can share them afterwards, that kind of consolidate information down and are used as kind of a storing house of links basically. And so off the top of my head, I can't think of it, but that's something we could send out after the fact. Rachel, anything else you can think of?

Rachel Durrance: No. Kathryn provided really good links to those webinars and stuff that, I know there was a few law firm stuff put on. So those are always good places to start to kind of help you with some of your research questions, maybe questions you hadn't thought about yet. So that's kind of it. Like Bree said, we haven't really found anything that's really like a one stop that has everything you're going to need. That would be great if somebody wants to put that together, but I don't think it exists, or we don't know about it if it does. So if you know something like that, let us know. But yeah-

Bree Meinberg: And honestly, if anybody on the call has resources, feel free to share them in the chat. I mean, we're all kind of working collaboratively on this. I think it's a new territory for everybody, and most schools don't have a lot of resources dedicated to it, so we kind of figure things out as we go and build our resources kind of on a step-by-step basis. So obviously if anybody here has resources they want to share, we would love to have those as well. Christina, Emily?

Christina S. Walker: I would definitely say in terms of where you know to start where you can't do anything, especially just in general, would be the treasury website, the government website, because that's going to tell you where your sanctions are. So that would weed out a lot of different countries maybe that you're initially searching to see if this is even feasible. Also, ministry of educations are going to be your friends. They are the websites that house a lot of times the regulations. Sometimes they're in English, sometimes they're not, but if you can find some in English there, that would be beneficial. And also, they'll have different departments, they'll have information about degree recognition, because obviously if you're offering a program, something that you want to disclose to students, yes, we can offer the program to you in Jamaica, but by the way, Jamaica doesn't recognize an online degree. So that's really beneficial from an informed decision, you want your students to know if they're spending all this money on education, and then later to find out that their country is not going to recognize it. So I would say those would be beneficial.

Emily Woods: The one I would add is CHEA, for those of you familiar with the national accreditation agency, they also have an international arm, and they have a full list of quality assurance agencies across the world. So any recognized quality assurance agency in another country is going to be listed on that with a website. And they can be incredibly helpful in sources of information. EducationUSA, they were a great resource, many of them, during COVID-19 in at least helping us get to the correct contact to the ministry of education, especially if we weren't getting a response. So those are two additional ones that were helpful.

Christina S. Walker: Oh yes. And I would add to that, which we haven't touched on yet for licensure programs, in addition to all of those different things that you're going to have to look and generally are we authorized to offer this program, you're actually going to have to, just like in the States, go to the boards as well in those countries to make sure that there are no impedance there, or again, that you need to disclose whether something doesn't meet licensure requirements, if that's the case.

Kathryn Kerensky: Thank you very much. So as we're all aware, researching the requirements can be a major undertaking, and many questions were relating to research, and you all hinted at some of that in your hints about using Google and some of the resources that you used, but how does one go about researching and then obtaining the necessary compliance? So what is the process like? So how do you understand and parse these regulations to really be sure you're in compliance, and what are the best practice steps for documenting those approvals or those research steps that you do? And we could start with the University of Kentucky.

Christina S. Walker: Well, I think that's going to go back to definitely your institutional approach, because obviously you have something in black and white, a regulation that says, yes, you can do it, no issues, that's not a problem, but it becomes problematic when it's a gray area, when it's not specifically addressed, or if there are certain things that you have to do, for example, an application, fees, if you need to register as of actual business, if there's taxes, and that can change based upon, for example, in one situation, we may be authorized, but then once we get three students, we may now have to pay a tax.

And so that's when you have to bring in your whole institution and all the stakeholders that are involved to say, hey, is this feasible? Do we want to do this? What is the cost analysis here? Okay. So we're authorized this year. We have to go back and re-register and seek approval next year, and that year we could not be approved, and maybe our students will have to stop or cease education now because we're not approved from year to year, or whatever the case may be. It's really going to depend on how your institution wants to approach that, but just in general, obviously you would have to complete all those steps that are required in that country, applications, fees and everything like that.

Emily Woods: Yeah. In terms of when you're approaching research, in addition to everything Christina said, that approach is spot on. I think one is having patience as you're searching through these websites. For those of you who are trying to figure out how much time it's going to take to do that, prepare that it could take anywhere between an hour where the information is just quickly on the ministry site, to a whole day where you're just trying to find the correct website, trying to find the correct avenue, trying to get your questions answered. But I think the most important thing, like I mentioned before, is having this list of questions that you're going to answer and check off for each country. That way, you're not forgetting a certain aspect, like the tax information, as you're doing the research.

Bree Meinberg: And I don't think we have a whole lot to add to that. I think Christina really spelled out kind of the step-by-step of working internally, and Emily touched on some best practices as well. But I think that it really is, like Emily and Christina said, you need patience. It's not going to be the same process each time. The number one place to start outside of our US government regulations, and again, finding out what our taxation expectations and all of that are, is to go to that ministry of education. I know we've said that like 10 times already, but it's because it's the most important step, is to find that. And if you don't find any information on there... Because it is going to be very common that either the page is going to be all in a language that you don't speak, and you cannot effectively translate it, or you just aren't finding any actual resources, find a point of contact and just reach out to them.

And we've had point of contacts that are nonresponsive, that is always a possibility, but for the most part, we've had some success in terms of being able to get those first questions asked of, point me in the right direction of your regulations, your processes. And once you have kind of that one point of contact, you can funnel everything through them, you can clarify all the steps in the process. I know we've talked a lot about risk assessment, and that's kind of something that you have to do in particular when you can't get a point of contact, because you are having to rely on your interpretation, your general counsel's interpretation and figuring out what all of that means.

And I know I saw some questions pop up about the risk assessment and what those risks are, and they vary. For us, more often than not that decision is made when you are in that position of not being able to find somebody on the ground to ask your questions to and say, do we feel like we have enough information to move forward as we are, or do we feel like we need to go back and we need to find more information? Are we comfortable that we are doing the right thing, or that what we're doing is defensible? And if you're not, then that's where you have got to find the point of contact.

And sometimes I know we live in an email world, email, website, but more often than not you can get somebody to answer the phone. And if they don't answer their email, they'll answer their phone. And that can be problematic if it is a language you don't speak, but again, that's where you try and identify a resource internally, faculty member, staff member that can support at least those initial conversations. And if not, and if you're at that stage in the process where you've kind of exhausted your own research, then that's the time where it's appropriate to go ahead and put a little bit of money into it and hire a translator to support even just a first-off meeting.

But getting that person on the phone is probably the piece that I think I would suggest, or via email. But getting a point of contact there that you can say, we put this in writing to you, we told you exactly what we were going to do, and you said, okay, and then at least from a legal standpoint, you've got a defense ability in case somebody else comes in later and says, oh no, you're not allowed to do that, you can point to exactly how and when and why you made the decision that it was safe to proceed. And so I think that finding a point of contact is really another step that, other than kind of all of the details that Christina and Emily shared, that I would add to that. Rachel, do you want to add anything?

Rachel Durrance: No, I think you guys all make really good points, and those are really good places to start and kind of the way the process is going to go. The only thing I'll add is just that, if you've reached the end of your research, you really can't find an answer, or really can't stand behind an answer that you do find to say that, yes, we're doing the right thing, or no, we're really not, that's where it comes down to your leadership, making that decision if they want to put money into it. And if they don't, then you can say, well, here's everything we have, and we really can't make a decision if we don't want to move forward with actually putting resources behind it. But then at least you can bring all of that to leadership, and then the decision is theirs, and you didn't kind of become that roadblock, they're like, well, it's your fault we can't do it.

No, you've done everything that you can without getting money behind it. So I think that's a really good point to make too, that you may not be able to find stuff, and putting everything together, putting all your resources together, everything you pulled to present that to your leadership to make sure that, here's the reason why we can't do it. If we don't want to put resources behind it, then we're going to have to say, no, we cannot enroll students, or we cannot teach students in this country.

Bree Meinberg: And I think an important point to make... And it's similar to state authorizations. I have this conversation with our leadership all the time. Just about anything is possible if you're willing to invest the time and money into getting there. And so I never tell people, no, I just tell them yes, but... And it really is that way where it's like, more often than not you can find a solution when you're dealing with international authorizations, but it's not going to be free, and it's not going to happen overnight. And so again, kind of going back to those expectations. If you make those expectations clear with your leadership on the onset, it makes the rest of the process a whole lot easier when you're not constantly kind of having to reset what you're doing because you found out a new piece of information, and they don't know what they're expecting. It's just say, look, we can do anything, but here's a realistic assessment of how much it's going to cost, what resources we're going to need to bring in to do it, and how long it's going to take to accomplish.

Kathryn Kerensky: That's great. Thank you. So let's see. There were many questions on authorization requirements, and obviously generally speaking, the types of activities that may trigger the need for authorization approval, or otherwise, subject an institution to oversight is likely similar to what can be found across the United States. So just for those who are not aware, what are some common triggers to obtain authorization, and was there anything particularly unique when pursuing institutional approval internationally, especially anything relating to study abroad or military or military-affiliated students? I know I saw some questions in the chat about that. So if you have any experience or can speak to any of that, I'm sure that would be appreciated. And we could start with Embry-Riddle.

Bree Meinberg: Okay. So there's kind of a broad range of topics in there, and so we'll kind of approach it a couple of different angles with that. So I'll start first with kind of talking about the military students and state authorizations, because that's something that we at Embry-Riddle have a high population of military students. So when we're talking about the authorization process for military students, when they are located overseas on a military base, you do not have to seek any authorization from the local government. You also do not need to seek any authorization from the military if they're conducting entirely virtual activities. If you are talking about you want to offer a class on base, we've had instances where someone completed a program of study with us, and they want to use the local military installation for their internship. Those are the types of activities, study abroad, anything like that, those are the activities that you're going to need to look into, a physical trigger of some kind. Like Kathryn said, it's very similar to the US processes, internships, on-site courses, study abroad.

I know in a lot of cases, I would suggest looking into, especially if you're talking about an internship, study abroad type of opportunity, looking into a partner institution in that host country, because then you can funnel a lot of those authorization requirements through them, and they're already done. But again, you have to do that the right way. There are still legal processes. You're talking about kind of dual degrees or a partnership that also gets into accreditation requirements. So it's something you want to be careful with, but it's the same types of activities, and generally the same types of triggers. It's going to trigger the same bodies in the US as it would internationally in terms of dealing with taxation issues and that sort of thing. Military students are a very unique situation, because as a general rule, military installations are considered US soil.

And so any activities conducted there fall under the status of forces agreement, which is US law. It basically exempts anyone who's a military ID cardholder, or

DOD civilian, anyone with a US-issued government ID falls under US law as outlined in the status of forces agreement. And so that also dictates what activities they can conduct reasonably without legal authorization. And so when you're talking about state authorizations, international authorizations, it's a very similar process. You track the student's location. Status of forces agreements, yes. The SOFA agreement. That is considered some of the governing regulations in a particular area. There's also the UCMJ, but that's a whole different ballgame. That's kind of more criminal military. If there is not a SOFA agreement in that country, I would assume that means there's no military installation there.

Oh, Bahrain? Okay. Honestly, I can't speak specifically to Bahrain. We don't have any activities there. So I think more than likely Bahrain... For example, every country is going to fall under a region of military command, and so I'm not sure off the top of my head Bahrain specifically, but you're going to want to identify the regional command that they fall under. Europe is the European Command, Pacific, Pacific Command, SOUTHCOM for south and central America.

And there should be some sort of guidelines that they're expected to follow if there's a military installation. If there's no status of forces agreement, there should be some something explicitly in writing dictating that, yes, you follow the local national laws, in which case if there's not a status of forces agreement, you're looking to conduct activities on base, I would reach out to the local military command and find out who your education service officer is, and work with them to identify the processes. And I know we're running low on time, so I want to make sure Christina and Emily have a chance to comment as well. So Rachel, if you don't have anything to add, I'm going to turn it over to [inaudible 00:58:16].

Christina S. Walker: Yeah. Just for the lack of time, I won't expand on that too much if Emily has something, and the reason why is because how we are structured in our institution, our partnerships agreements versus our study abroad, versus what we handle from international offerings from our perspective are a little bit different, so it would be a more in-depth explanation that we don't have time for at the moment.

Kathryn Kerensky: That's great. Thank you so much. We are being near on time, but I thought I would just pose one very quick question. If you could just make one suggestion or one key takeaway to learn from your experience, what would you like to share with our participants today?

Christina S. Walker: I would say all this information is great, all the approaches and going through it is great with your leadership team, but most importantly you need to communicate this to your programs. Because a lot of times it's not intentional, it's not ill will, but programs will make assumptions that, hey, I can do this, no problem, or hey, I've been doing this forever, there's no problem. But all of these new things come up all the time, or we realize something that wasn't out there, so we need to disseminate this information, most importantly, so we're not retroactively trying to clean up, but we can stay ahead of what's going on.

Emily Woods: Yeah. And I just would add very quickly, just having as much strategy before research as possible, just to have that list of questions, have an approach with your general counsel, and then be able to from there dive in to do your research effectively,

Rachel Durrance: And I'll just add super quickly, really reaching out to those other departments in your institution and find out what they're doing, because some of the questions you may have, they may already have answers to. So instead of reinventing the wheel, you may have half of it done already, and you didn't even know it. So really working within your institution and those resources to really see what's already done or what maybe has been started that you can kind of just build upon is really important.

Bree Meinberg: And I think I would just add not to make any assumptions. Assume that you have to do everything. Start with the worst case scenario, and work backwards from there, and make sure that anything you do is defensible. At the end of the day, if there's any ambiguity, any questions, make sure that you can stand behind and defend what choice that you made.

Kathryn Kerensky: Thank you so much to you all. This was a wonderful discussion with lots of great insights. Obviously we could keep talking about this topic for hours more. We do have to wrap up. We do hope to go into deeper dives on this issue more. So like I said, we really appreciate all of your questions here and hope that others can learn from and adapt some pieces of what you talked about at their own institutions. So here we have our presenters contact information. We think it's really important to have institutions willing to engage with and assist their colleagues, so we really appreciate the willingness of our colleagues to do so. Going through the next couple slides really quick, just making a note that if state authorization or institutional approval is new to you, we do have resources for those new on the topic.

And then on the next slide, we also want to note that you can search our site by topic. You can see that we have these nine topic areas, and international compliance is currently found under compliance requirements non-SARA. And then on the next slide, just a couple of the upcoming events, a Q&A on a specific topic, and then a NASASPS conference in collaboration with SAN. And we do have several SAN members presenting sessions, so definitely check out that and see if that'd be of interest to you if you're available to attend. Next slide, please. On behalf of the SAN team, I want to extend our gratitude to our speakers, Rachel Durrance, Bree Meinberg, Christina S. Walker, Emily Woods. And to all of our attendees today, we appreciate your time and input and questions. Then lastly, if you have any questions for the SAN team about the presentation on compliance management and generally, please don't hesitate to reach out to us.

We're always happy to be of help. And with that, I hope you have a great rest of your day. Take care.