

Federal Negotiated Rulemaking: Institutional planning for change

To be eligible to participate in Title IV financial aid programs, institutions are expected to follow the provisions of the Program Participation Agreement (PPA). The PPA is an extensive form that provides the terms and conditions for which the institution must meet to begin and continue participation in Title IV financial aid programs. A new section 32 was proposed to address programmatic accreditation, programs leading to a professional license or certification, and reciprocity. Visit <https://wcetsan.wiche.edu/> for more information on the details of these proposed changes.

Actions to consider:*

- **Professional Licensure**
 - In considering the impact that these rules will have on your institution and each program, consider the following:
 - **Determine your target states.** Each program that leads to licensure or certification probably primarily targets a set number of states that contain the bulk of your enrollments.
 - **Ask the hard question:** “Do you have proof that you met the educational requirements for licensure in that profession in that state?”
 - **Conduct scenario analyses.** Given the answers to the hard question, what are the best and worst-case scenarios?
- **State Authorization Reciprocity**
 - In preparation for the possibility of minimized reciprocity, prepare to address the following:
 - What are your target states? Create a list of the states where you serve the most students.
 - Be prepared to do some scenario analyses. For the states that you target, what additional costs might you incur? How would you recover those costs?

Educating and empowering the institutional compliance community to plan for change

Compliance obligations intersect with multiple institutional divisions (ex. State Authorization, Financial Aid, Admissions, etc.). Consider *who* and *how* compliance staff may coordinate to develop a shared internal strategy, align leadership, and distill shared institutional concerns. *Consider the following questions to get started:*

- What key stakeholders must be included to do the research and make decisions about priority states for each of the institutions programs that lead to a license or certification?
- How and who must be included at the institution to prove that it satisfies state requirements including how you will address pushback from program faculty and staff who believe that proof is not required?
- How does your institution address regulatory research of state requirements for out-of-state activities?

*Excerpted from WCET Frontiers Blog “[More Federal Rulemaking Excitement for Distance Ed Fans... and Next Steps](#)” published March 24, 2022.

Note: This document was created by the [State Authorization Network \(SAN\)](#) and is current as of April 2022. Regulatory language and references are subject to change. The information should not be considered legal advice. Legal questions should be directed to legal counsel.