



**National Council for
State Authorization
Reciprocity Agreements**

MHEC • NEBHE • SREB • WICHE

Federal and State Requirements for Professional Licensure: A Workshop for Higher Education Institutions & States

**March 18, 2025
Tuesday Topics Series 2025**



Welcome!

Presenters:

Cheryl Dowd, Senior Director, State Authorization Network & WCET
Policy Innovations

Kathryn Kerensky, Director, Digital Learning Policy & Compliance, State
Authorization Network

Katie Hoffman, Project Manager, University of San Francisco - Office of
Assessment and Accreditation Support

Nicholas Marks, Administrator of Higher Education & SARA State Portal
Entity staff (SPE), New Hampshire Department of Education

Sarah Levy, Senior Director, Policy & Regulatory Affairs, NC-SARA

Jared Abdirkin, Director, Institution Engagement & Initiatives, NC-SARA





Professional Licensure Compliance Management Survey Request

<https://www.surveymonkey.com/r/LicensureRegsImpact>





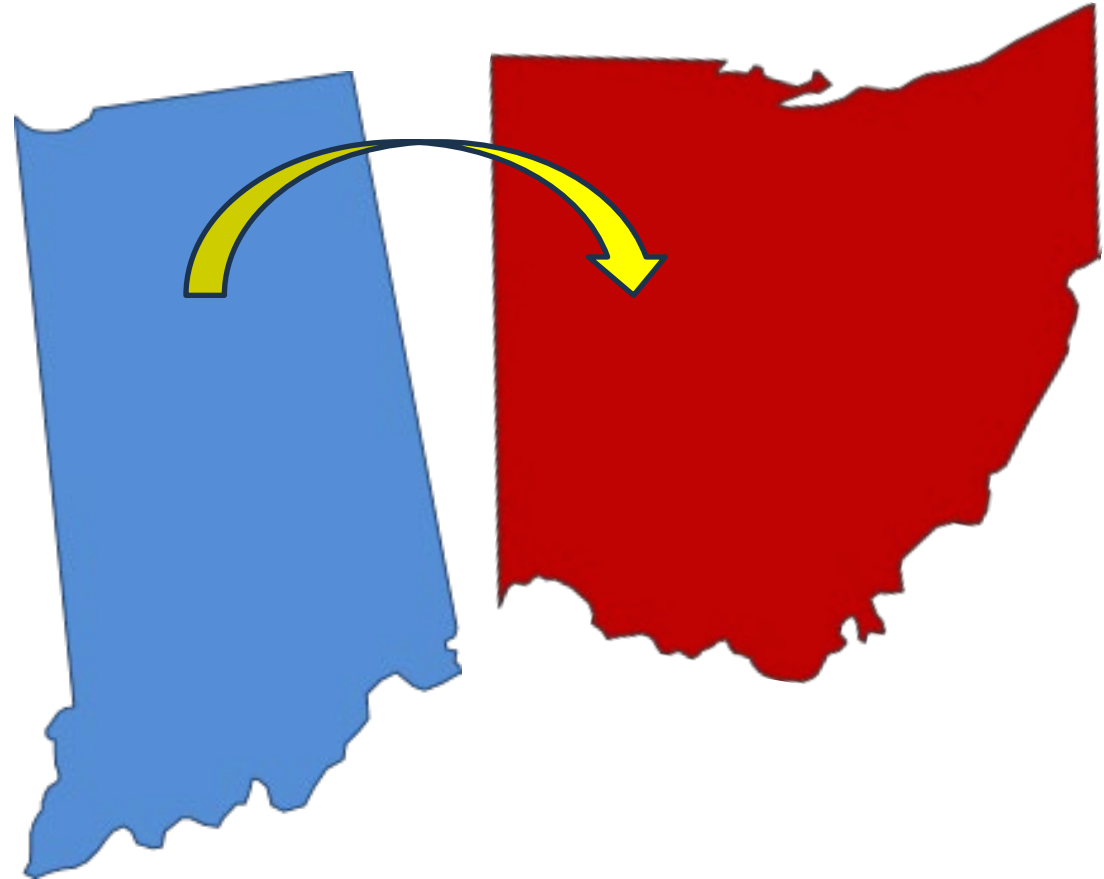
Foundational Principles
Distinguishing State Responsibilities from Federal Responsibilities
Applicable to All Institutions

State Approvals

Foundational Principle

For any activity of the institution that occurs in another State, it is the institution's responsibility to be compliant with the laws and regulations of that State.

***or country**



Types of State Compliance



- **State Institutional Approval** – By the state’s authorizer or through reciprocity in SARA member states.

***PLUS! Separate program approval, if required, by the state where the student is located.**

- **State Program Approval** - some states require separate program approval in the state where the student is located.

***SARA Participation does not include the additional program approval.**

Whose Rules? State vs Federal

State



Federal



- **State Institutional Approval**
 - Interstate Distance Education
 - Individual State to State or Reciprocity (SARA)
- **State Program Approval**
 - Interstate Prof. Licensure Programs

- **Department of Education – Title IV**
 - State Institutional Approval + Location
 - Prof. Licensure Programs
 - “Satisfy” State Educ. Requirements (PPA Certification)
 - Disclosures

State Agency Coordination

Kentucky example

Licensing regulation 13 KAR 1:020 Section 2(3) states:

“If a college's program is also required to be licensed or approved by another state agency as well as the Council on Postsecondary Education, the president shall attempt to coordinate the licensing function with that agency.”

The agency coordinates with professional licensure boards in KY where the professional licensure board may approve programs (in addition to individuals for professional licensure or certification), where both agency approvals were needed for a program.



Federal Regulations Explained

Federal Regulation for Professional Licensure Disclosures

[Disclosures \(34 CFR 668.43\(a\)\(5\)\(v\) and \(c\)\)](#) effective July 1, 2020 *public disclosures amended 2024



1. Regulations address **all modalities** (includes Face to Face and Online)
2. Educational Programs designed or advertised as leading to a license required for employment in the occupation.
3. Public notifications – meets, does not meet, (states & territories where institution advertises or serves students).
4. Direct/individualized notification for prospective or enrolled students.

New PPA Certification Requirements

Program Participation Agreement (PPA)

[34 CFR 668.14\(b\)\(32\)](#)

Raises the Bar When Offering Programs Leading to a License

For the program to be eligible for Title IV – the institution must satisfy state educational requirements

- Where the institution is located.
- Where the student enrolled in distance education
 - On or after July 1, 2024.
 - Is located at the initial time of enrollment.

OR

- Where the student attests that they intend to seek employment

Related to Professional Licenses– Public Notifications

Language: 34 CFR 668.43(a)(5)(v) and (c) – Revision to this regulation is minor

1. Public notifications – institution determinations of whether the curriculum meets or does not meet various state educational requirements where students are served.
2. Direct/individualized notification for:
 - Prospective student to inform if the program does not meet or if the institution has not made a determination.
 - Enrolled student to inform if the program no longer meets state educational requirements. Within 14 calendar days of the institution making that determination.

* ED indicated if an institution is not enrolling students from a given state, it is not obligated to determine anything regarding that state.

Attestation - Purpose

- Option provided in regulation
- Student may be served even if the institution cannot satisfy state educational requirements where the student is located.
- **IF** the student attests that they intend to seek employment in another state; **and**
- The institution can satisfy state educational requirements in that state.

Attestation – Caveats & Nuances from Preamble

- The goal is sufficient proof from the students themselves of their plans.
- Need more than the mere presence of such an attestation alone.
- ED is very focused on how the information was conveyed such that it must be clear that the student understands this attestation.
- No new attestation is required if the student moves or changes their mind about future employment location.



Public Policy Reasoning and Compliance Expectations for Federal Rules



Public Policy Reasoning and Expectations

- Transparency
- Ensure the student can obtain employment in the occupation for which they were educated.
- Not left with student loans for credentials that do not quality them to work in the occupation for which they were educated.



Institution Implementation Strategies

Institution Implementation Strategies

Getting Started Regulations

Review Regulations:

- Federal and state
- Interpret direct language
- Follow analyses by [SAN](#), and law firms
- Keep track of regulations for reference (**document**)
- Subscribe to professional licensure research service



Institution Implementation Strategies

Getting Started Institution Review

Review Institutional Programs & Activities

- Identify potential programs
- Communicate requirements to program faculty and staff
- Consider the student's expectations
- Keep track of communications for later reference (**document**)



Institution Implementation Strategies

Getting to Work

Create a Plan & Prepare Resources

- Consider how professional licensure regulations intersect with state requirements (authorization or licensure board)
- Consider respective approaches: institutional, programmatic
- Develop policies & templates for disclosures and attestations
- **Document** decisions and determinations



Institution Implementation Strategies

Getting to Work Communication Strategies

Communicate requirements

- Student focus
- Mission alignment
- Consequences for non-compliance



Institution Implementation Strategies

Continuation & Support

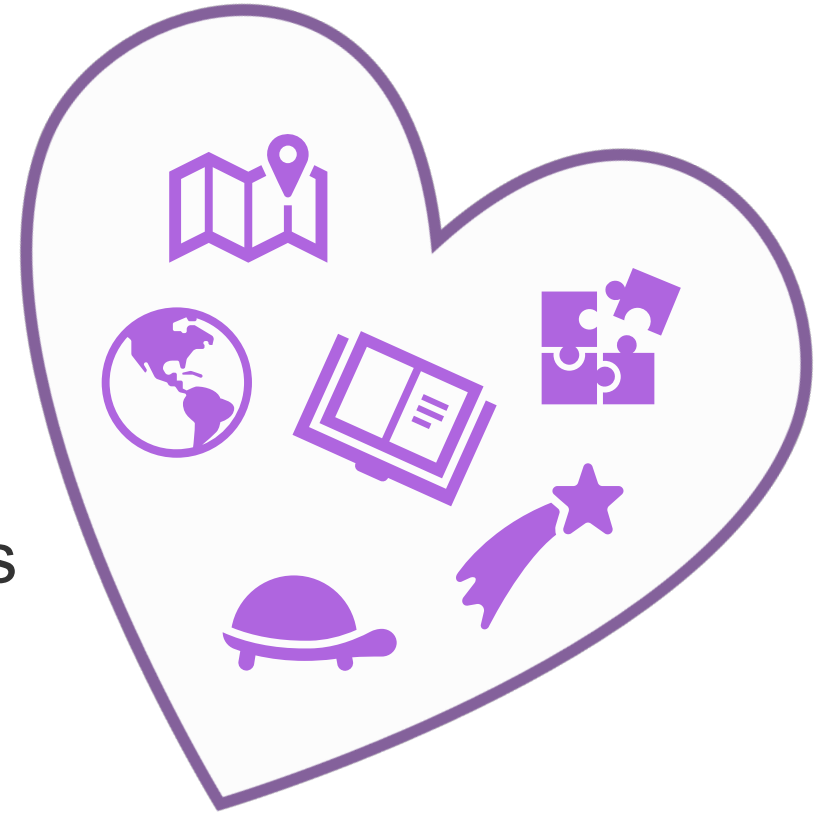
- Communicate with colleagues
 - Best practices
 - Troubleshooting, tips for legal research
 - Reinforcing understanding
- Review & assess for improvement
- Continue review institutional programs & activities
- Continue to update determinations



Institution Implementation Strategies

Managing Compliance & Self-Care

- Start where I am
- Find community support
- *Remember the spirit of the regulations*
- Reference the regulations
- Befriend a smart calendar with reminders





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SAN Resources

SAN Website:

- SAN Getting Started with Compliance Management Gateway: <https://wcetsan.wiche.edu/resources/getting-started>
- SAN Federal Regulations Landing Page: <https://wcetsan.wiche.edu/resources/federal-regulations>
- SAN Professional Licensure Landing Page: <https://wcetsan.wiche.edu/resources/professional-licensure>
 - [Professional Licensure Handbook 2nd edition](#) (2024)

WCET Frontiers (Articles)

- [NC-SARA, SARA, and SAN: The Power of Collaboration](#), WCET Frontiers; 1/14/25
- [Ready or Not, Here It Comes! New Regulations When Offering Programs Leading to a License Effective July 1!](#) WCET Frontiers, 7/9/24



Questions?





SARA Policy and Professional Licensure



What does the *SARA Policy Manual* say?

Section 5.2 Programs leading to professional licensure

Effective through June 30, 2025: SARA has no effect on state professional licensing requirements. Any institution approved to participate in SARA that offers courses or programs designed to lead to professional licensure or certification or advertised as leading to licensure must satisfy all federal requirements for disclosures regarding such professional licensure programs under §34 C.F.R. 668.43. For SARA purposes, these requirements will also apply to non-Title IV institutions.

For SARA purposes, institutions that are unable, after all reasonable efforts, to determine whether a program will meet state professional licensure requirements shall provide the student or applicant with current contact information for any applicable licensing boards, and advise the student or applicant to determine whether the program meets requirements for licensure in the state where the student is located.

Effective beginning July 1, 2025: SARA has no effect on state professional licensing requirements. Any institution approved to participate in SARA that offers courses or programs designed to lead to professional licensure or certification or advertised as leading to licensure must satisfy all federal requirements for disclosures regarding such professional licensure programs. For SARA purposes, these requirements will also apply to non-Title IV institutions and programs.



SARA State Portal Entity (SPE)

Oversight of Section 5.2 – Example

Effective January 1, 2025 - *SARA Policy Manual* Section 3.9:

“Institutions shall disclose to their home state any adverse action against the institution and any investigation by an oversight entity related to the institution’s academic quality, financial stability, student consumer protection policies or practices, or compliance with any state or federal requirement, within thirty days of the institution’s first knowledge of the action or investigation.”

This would include compliance regarding professional licensure requirements.



State Regulator and SARA State Portal Entity (SPE)

Nicholas Marks

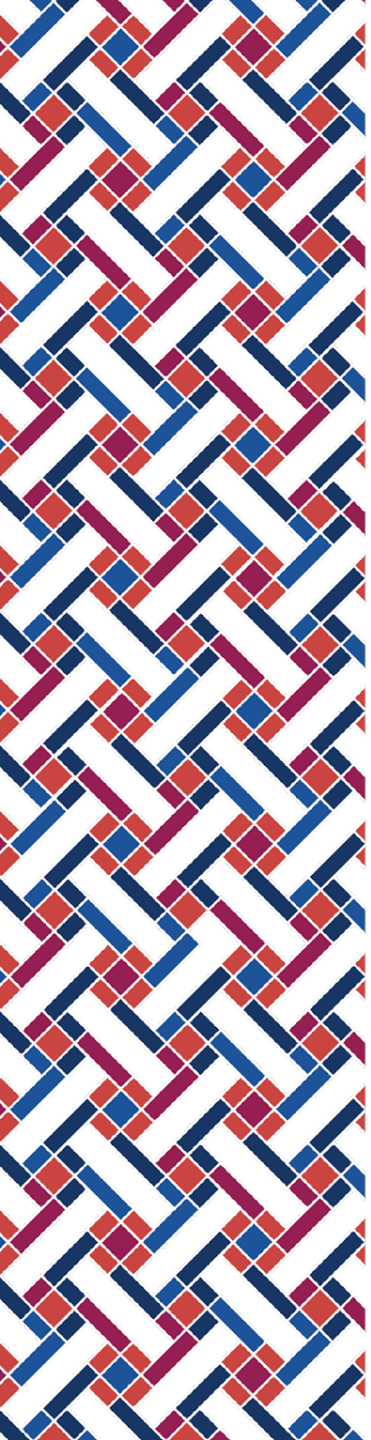
Administrator of Higher Education & SARA
State Portal Entity staff (SPE)

New Hampshire Department of Education



Perspective on Professional Licensure

- Licensure requirements
- Seeking approval
- New Hampshire practices for institutions



SARA

Professional Licensure Resources

Professional Licensure Directory

<https://nc-sara.org/professional-licensure-directory>

- **Frequently Asked Questions**

Quick Start Guide

<https://nc-sara.org/sara-quick-start-guides>



Survey Request

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Questions SARA Policy ?



Thank you for attending!

Send Questions about:

Federal Regulations or SAN to san-info@wiche.edu

State Authorization Reciprocity or NC-SARA to info@nc-sara.org



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STATE AUTHORIZATION NETWORK

a network of WCET

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