

**To:** NJ-SARA Participating Institutions  
**From:** Lori Harris-Ransom, Assistant Director of Licensure & Accountability  
**Date:** August 21, 2024  
**Subject:** Digital Resource from NJ SARA Virtual Convening

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The Office of the Secretary of Higher Education (OSHE) is the New Jersey portal agency for the State Authorization Reciprocity Agreement (SARA), which is an agreement among member states, districts and territories that establishes comparable national standards for the approval of interstate postsecondary distance education courses and programs.

On July 30<sup>th</sup>, OSHE hosted a virtual convening with support from the National Council for State Authorization Reciprocity Agreements (NC-SARA) to engage and provide informational resources for New Jersey institutions providing distance education programming outside the state in accord with SARA. Attached you can find a digital resource booklet with materials from the convening, including a link to the recording of presentations and session slides.

For more information, please contact the Assistant Director of Licensure & Accountability at [Lori.Harris-Ransom@oshe.nj.gov](mailto:Lori.Harris-Ransom@oshe.nj.gov).



# Virtual Convening for New Jersey SARA Institutions

Tuesday, July 30, 2024  
9:30 a.m. - 2:00 p.m. (EST)

# Virtual Convening for New Jersey SARA Institutions

Video Recording

<https://youtu.be/3pOlzPiecCg>

# AGENDA

9:30 - 9:45 a.m. **Welcome & Introductions**

*Eric Taylor, Director of Licensure, NJ Office of the Secretary of Higher Education (OSHE)*

9:45 - 10:30 a.m. **US Department of Education Regulations & Developments in Distance Education**

*Cheryl Dowd, Senior Director, State Authorization Network (SAN) & Policy Innovations (WCET - WICHE)*

10:30 - 11:30 a.m. **SARA Basics: Resources, Policy Process & NEBHE**

*Charlotte Ochs, SARA Director, NEBHE*

*Jared Abdirkin, Director, Institutional Engagement & Initiative, NC-SARA*

11:30 a.m. - 12:15 p.m. **The Intersection of US Department of Education Regulations & SARA Policy**

*Jeannie Pauline Yockey-Fine, Senior VP and General Counsel, NC-SARA*

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

12:15 - 12:45 p.m. **NJ SARA Data & Data Resources**

*Rachel Christeson, Director, Research & Data Analysis, NC-SARA*

12:45 - 1:15 p.m. **Institution Practices over Lunch**

- *Developing Online Programs (Sohelia Kobler, Caldwell University)*
- *NC-SARA Out of State Placement Data Collection Process (Sam Michalowski, Fairleigh Dickinson University)*

1:15 - 1:45 p.m. **Breakout Room Discussions**

- *SARA Basics : Resources, Policy Process and NEBHE*
- *NJ SARA Data and Data Resources*

1:45 - 2:00 p.m. **Debrief, Wrap-Up & Feedback**

*Lori Harris-Ransom, Assistant Director, Licensure and Accountability, NJ Office of the Secretary of Higher Education (OSHE)*

# PRESENTER BIOS

**Cheryl Dowd** directs the activities of the State Authorization Network (SAN), including coordination of staff addressing interstate policy and compliance as well as other ancillary compliance issues. Additionally, she serves the overall WCET membership in addressing emerging and special regulatory issues related to digital learning in postsecondary education. Cheryl is a contributing author for a guide book for understanding the legal basis for State and Federal compliance for activities of post-secondary institutions, State Authorization of Colleges and Universities. Cheryl earned her Juris Doctorate from the University of Richmond, master's degree in Criminal Justice from Bowling Green State University, and bachelor's degree in Political Science from James Madison University.

**Charlotte Ochs** is currently the SARA Director at the New England Board of Higher Education (NEBHE). For the past two years, she has been instrumental in advancing SARA initiatives at NEBHE, while also coordinating the Tuition Break program. With over six years of experience in the education sector, Charlotte has worked in diverse areas including student life, disability services, and health education. She holds a Bachelor of Social Work (BSW) from Syracuse University and a Master of Social Work (MSW) with a focus on the macro from Boston University.

**Jared Abdirkin** is currently the Director of Institutional Engagement & Initiatives for the National Council for State Authorization Reciprocity Agreements (NC-SARA), beginning in April 2024. His work focuses on engaging with institutions to continue and enhance their understanding of SARA, the SARA policy modification cycle, and striving for an ongoing seamless experience for SARA participation. Prior to coming to NC-SARA Jared was the Director of SARA for the New England Board of Higher Education (NEBHE) and served on the organization's team of Senior Directors. While at NEBHE he also focused on "administrative holds", seeking to understand and encourage institutions to adjust their practices for the benefit of student completion. Prior to joining NEBHE Jared spent a decade in mostly public postsecondary institutions focused on academic affairs, program and college leadership, and admission and retention efforts, first as an academic advisor and then as an Assistant Dean. He also taught and coordinated several undergraduate courses over the years. Jared earned a BS degree in Human Development and an MS degree in College Student Personnel from the University of Rhode Island.

# PRESENTER BIOS

**Jeannine Pauline Yockey-Fine** is Senior Vice President and General Counsel at NC-SARA. She provides strategic advice, risk analysis, and counsel to NC-SARA's board, staff, and the organization. Jeannie analyzes federal and state regulations, SARA policies, and professional licensure issues and their impacts on SARA institutions, and related policy conversations. Jeannie was a Senior State Regulatory Services Specialist with Hogan Lovells, US, LLP prior to joining NC-SARA. During 2014-2018 she was State Regulatory Services Advisor with Cooley, LLP and was Senior Manager, State Regulatory Services at Dow Lohnes from 2011-2013. She assisted her clients with state-related authorizations, NC-SARA applications and related requirements, and state-level professional licensure issues. Previously she was Licensure Manager/Education Policy Analyst at the Florida Department of Education's Commission for Independent Education overseeing the unit responsible for licensing nearly 1,000 institutions. Jeannie also has a background in litigation, and has practiced criminal, family, and corporate law. Jeannie holds a B.S. in Journalism and Juris Doctor degrees from the University of Kansas.

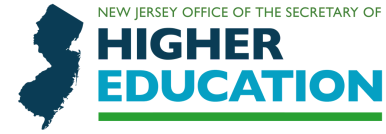
**Sarah Levy** joined NC-SARA in February 2024 as Senior Director of Policy and Regulatory Affairs. Sarah was the Executive Director of Postsecondary Licensing with the Kentucky Council on Postsecondary Education prior to joining NC-SARA. In this licensing role since 2008, she oversaw the state authorization of private institutions operating and soliciting in Kentucky. In addition, upon Kentucky joining SARA in 2016, Sarah was a State Portal Entity contact and a member of the S-SARA Regional Steering Committee. She served as a member of the S-SARA Policy and Administration Working Group since its formation in 2019 and as Co-Chair of that working group beginning in October 2023, as well as a member of the NC-SARA Data Advisory Committee since 2019. Previously, Sarah was a Law Clerk for a Kentucky Circuit Court judge from 2004-2007, and Legal Counsel for the Kentucky Administrative Office of the Courts from 2007 to 2008. Sarah holds a B.A. in English and Juris Doctor degrees from the University of Kentucky.

**Dr. Rachel Christeson** serves as Director for Research and Data Analysis at NC-SARA, where she provides strategic work on policy research and general data efforts, assisting NC-SARA's annual data reporting and analysis work. Rachel also supports the collection, analysis, and reporting of qualitative and quantitative data efforts on a wide-range of projects in support of NC-SARA activities. She has extensive experience with data systems development and a strong understanding of database design, implementation, and utilization.

# PRESENTER BIOS

**Soheila Kobler** is the Director of the Office of Online Education at Caldwell University. With a distinguished career spanning over two decades in higher education administration, she brings a wealth of experience to her role. Her expertise in online learning is instrumental in developing, assessing, and supporting high-quality undergraduate and graduate programs at Caldwell University. Through close collaboration with deans, department chairs, and faculty, Kobler is dedicated to fostering an exceptional online learning environment. Her focus on teaching and learning pedagogy, best practices, and student learning outcomes ensures that students thrive in the digital classroom. She is also committed to faculty development, providing them with the tools and support needed to excel in online instruction. She has served as Middle States peer reviewer for over ten years. Prior to her role at Caldwell University, Smith earned a BEng in Electrical Engineering from Greenwich University in London, England, a B.S. in Political Science and Economics from National University in Iran, and an M.S. in Computer Information Systems from NJIT in the United States.

**Sam Michalowski** is Associate Provost of Institutional Research and Assessment at Fairleigh Dickinson University. He is trained in both qualitative and quantitative social research methodologies and is about to enter his third decade in applied educational research in higher education primarily within institutional research offices. In his applied research capacity, he seeks opportunities to highlight the benefit of and barriers to higher education for underrepresented students. He holds a B.A. in Sociology and German from the University of North Carolina-Chapel Hill, an M.S. in Justice Studies from Arizona State University, and a Ph.D. in Sociology from the City University of New York's Graduate Center.



# Virtual Convening for New Jersey SARA Institutions

Session Slides





# Federal Update

## Rulemaking & Supreme Court Opinions

**July 30, 2024**  
**NJ-SARA Conference 2024**

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



# Who we are

The State Authorization Network (SAN) empowers its members to successfully resolve postsecondary regulatory compliance challenges.

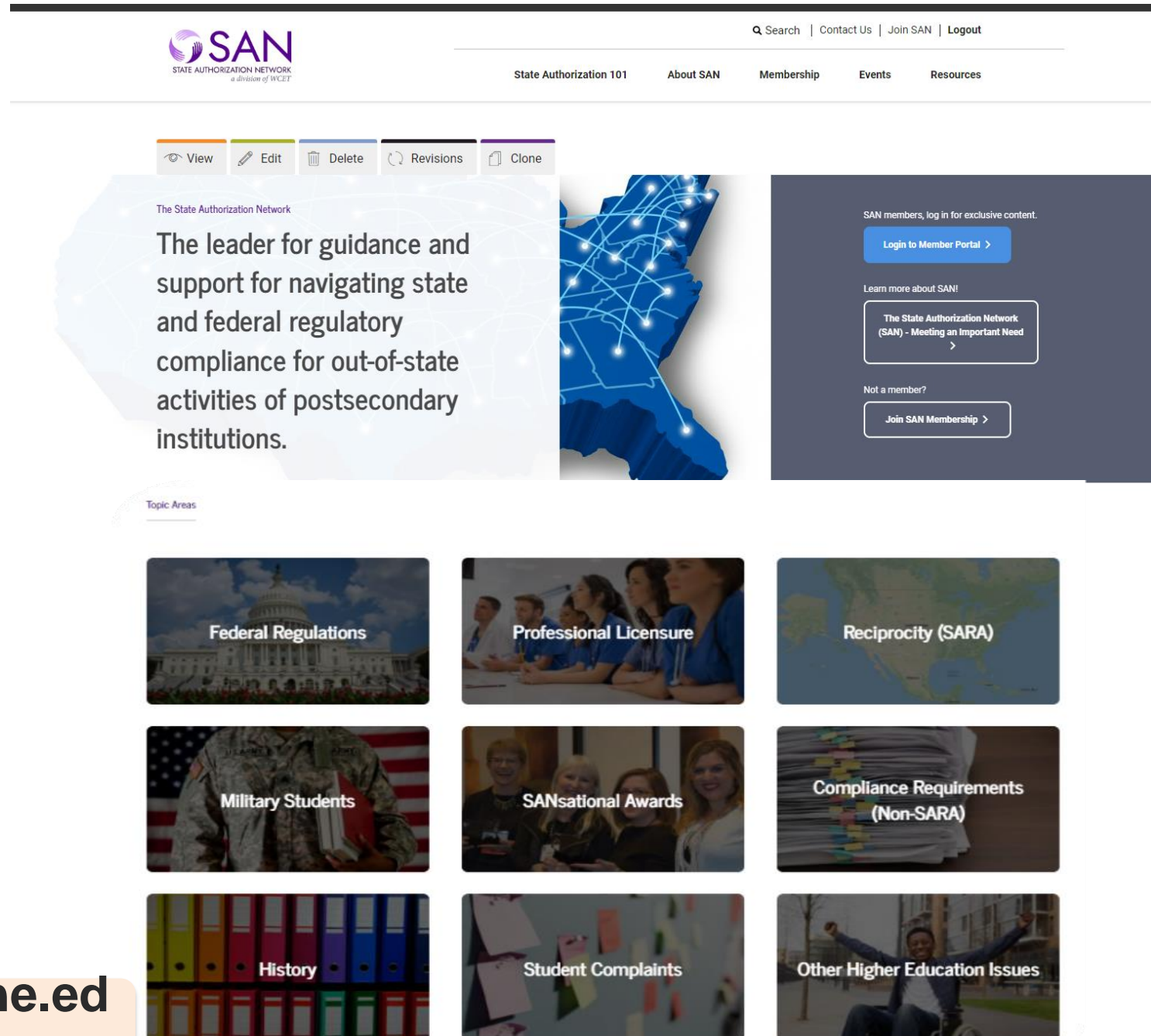
We provide expert analysis, resources and training to prepare for emerging issues, collaborate on compliance strategies, develop solutions and evaluate their efficacy.

Our members are digital learning and compliance professionals representing 800+ institutions and organizations nationally and across all sectors.



[wcetsan.wiche.edu](http://wcetsan.wiche.edu)

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# **New Regulations Effective July 1, 2024 Certification Procedures**

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# New Effective USED Final Regulations

## Negotiated Rulemaking for Higher Education 2021-22

October 10, 2023, Final Regulations for Financial Value Transparency & Gainful Employment. These new regulations became effective July 1, 2024.

October 31, 2023, Financial Responsibility, Administrative Capability, Certification Procedures, Ability to Benefit (ATB). These new regulations became effective July 1, 2024.

# Certification Procedures – 34 CFR 668.13 & 668.14

## Program Participation Agreement (PPA)



- PPA is an agreement between postsecondary institutions and the U.S. Department of Education.
- The institution certifies compliance with specific obligations in order to participate in Title IV HEA Programs.
- The Department's goal was to strengthen the student protections within the PPA.
- The sub-issues for which we followed were among the new requirements being added to the PPA.

# Related to Professional Licenses & Certification – PPA Certification

34 CFR 668.14(b)(32)(ii)

## 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.

# Notifications

34 CFR 668.43(a)(v) and (c)

**Minor changes since these became effective July 1, 2020.**

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.

# Responsibilities of the Institution

1. Revise or develop the institution's location policy. (required in Federal regulation since July 1, 2020)
2. Research state educational requirements where students are served by the institution.
3. Compare & determine if the curriculum satisfies the educational requirements.
4. Carefully consider the use of attestation. (not for everyone and documentation is necessary)
5. Continue to follow a process to provide public and direct notifications.

**Communicate with senior administration and general counsel**

- to make business decisions about institutional priorities
- to serve certain states and certain professions.



# Related to Compliance with State Closure Laws - PPA Certification

34 CFR 668.14(b)(32)(iii)

**Does Reciprocity Fulfill the  
Requirement? Yes FOR NOW!**



**For the program to be eligible for Title IV**

(32) In each State in which:

- the **institution is located**;
- **students are located** at the **time of initial enrollment** who enrolled in distance education or correspondence courses

(iii) **Complies with all State laws related to closure including:**

- Record retention
- Teach-out plans or agreements
- Tuition recovery funds or surety bonds.

# U.S. Department of ED - Announcement

April 9, 2024



## (GE-24-03) Updates on New Regulatory Provisions Related to Certification Procedures and Ability-to-Benefit

U.S. Department of Education announcement offers **some** limited circumstance compliance extension over new PPA professional licensure regulations through January 1, 2025.

Read carefully and document.

# U.S. Department of Education Dear Colleague Letter (DCL)



May 23, 2024

**(GEN-24-07) Implementation of Regulations Related to Financial Responsibility, Administrative Capability, Certification Procedures, and Ability to Benefit (ATB)** (Updated May 23, 2024)

U.S. Department of Education DCL provided a summary of changes and offers links on the Office of Postsecondary Education website.

Includes: **Certification Procedures Regulations FAQs**



# Negotiated Rulemaking Winter 2024

Negotiated Rulemaking for Higher Education 2023-24

Program Integrity and Institutional Quality

**DID NOT REACH CONSENSUS!**

\*except TRIO



# Rulemaking Issues

- Cash Management
- State Authorization
- Distance Education
- Return to Title IV (R2T4)
- Accreditation

\* Subcommittee addressed TRIO Programs (programs designed to identify and provide services for individuals from disadvantaged backgrounds) Reached Consensus

# Rulemaking Next Steps



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## Package #1: Distance Education, R2T4, TRIO Programs

- OMB/OIRA Review – June 17, 2024
- Proposed Regulations Released – July 24, 2024
- Comment period 30 days from the date of release of proposed regulations. (8/23/24)
- ED must review all public comments.
- OMB/OIRA review of Final Regulations.
- Release of Final Regulations
- If final regulations are released by November 1, 2024, the effective date is July 1, 2025.

# Rulemaking Next Steps



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## Package #2 or could be separated more: Cash Management, State Authorization, Accreditation

- OMB/OIRA Review –?
- Proposed Regulations Released - **“next year?” What about Unified Agenda date?**
- Comment period 30 days from the date of release of proposed regulations.
- ED must review all public comments.
- OMB/OIRA review of Final Regulations.
- Release of Final Regulations.
- Since proposed rules are not expected until Nov 2024, it is likely that the rulemaking process will not be completed until 2025 with an effective date of July 1, 2026.

# Rulemaking Next Steps



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## Things we are watching that affect the next steps:

[EO 12866 Regulatory Review](#)(OMB/OIRA)- tips us off that regulations have been prepared.

Election

Impact of Summer 2024 Supreme Court Decisions





# U.S. Supreme Court Opinions

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# Judicial Review of Regulations

## *Loper Bright Enterprises vs. Raimondo and Relentless Inc. v. Department of Commerce.*

- Overturned the Chevron Doctrine - agency interpretation deference to determine statutory authority if the Federal statute is ambiguous or silent.

## *Corner Post, Inc. v Board of Governors of the Federal Reserve System*

- Directs that the 6-year statute of limitations for a legal challenge against the U.S. begins when the party (the plaintiff) is injured not when the regulation became final.

**Take away** – No regulations were immediately struck down. The rules are the rules until they are not. However, look for an increase in regulatory challenges in the near and long-term future!



# Resources

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# Resources

- [Ready or Not, Here It Comes! New Regulations When Offering Programs Leading to a License Effective July 1!](#); WCET Frontiers, May 16, 2024
- [SAN Compliance Resources to Address Federal Regulations for Programs Leading to a License \(2024\)](#)
- SAN Professional Licensure Landing Page: <https://wcetsan.wiche.edu/resources/professional-licensure>
- SAN Federal Regulations Landing Page: <https://wcetsan.wiche.edu/resources/federal-regulations>
- SAN Getting Started with Compliance Management Gateway: <https://wcetsan.wiche.edu/resources/getting-started>
- [Recent Supreme Court Decisions: Chevron, Loper Bright, and Corner Post... What Are These and How Do They Affect Distance Education?](#) WCET Frontiers; 7/18/24
- [Buckle up. ED is Off to the Races With Its NPRM](#); WCET Frontiers; 7/22/24

# Your Questions?





# Thank you!

## Contact Us!

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

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Policy & Compliance

(303) 541-0290 | [kkerensky@wiche.edu](mailto:kkerensky@wiche.edu)

Jana Walser-Smith, Director Interstate Compliance & SAN Member  
Outreach

(303) 541-0289 | [jwalsersmith@wiche.edu](mailto:jwalsersmith@wiche.edu)

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Email us at: [san-info@wiche.edu](mailto:san-info@wiche.edu)

# NC-SARA and NEBHE

## Updates and Resources for SARA Participating Institutions

**Jared Abdirkin**, Director, Institutional Engagement & Initiatives, NC-SARA

**Charlotte Ochs**, Director, State Authorization Reciprocity Agreements, NEBHE

**New Jersey SARA Institution Program**  
**July 30, 2024**



# AGENDA

- \* **What is SARA?**
- \* **What is NC-SARA?**
- \* **What is N-SARA?**
- \* **NC-SARA Resources**
- \* **SARA Developments**





## What is SARA?

State Authorization Reciprocity Agreements (SARA) is an **agreement** amongst **member** states, districts, and territories that establishes comparable national standards and streamlines regulations, fees, and approvals for institutions offering interstate distance education programs. More than 2,400 institutions in 49 member states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands all **voluntarily participate** in SARA.

## What is NC-SARA?

The National Council for State Authorization Reciprocity Agreements (NC-SARA) is a private nonprofit **organization** [501(c)(3)] that in partnership with the four regional compacts coordinates the implementation of SARA nationally. NC-SARA supports, facilitates, and serves the regional compacts, the regional steering committees, the State Portal Entities, and SARA participating institutions.



# Essential Principles of SARA

NC-SARA works in concert with the 4 regional compacts (WICHE, SREB, NEBHE, and MHEC):

- An interstate agreement
- Voluntary for states to be members
- Voluntary for institutions to participate
- Acknowledges the traditional roles within higher education's "accountability triad."
- Establishes national standards
- Institutions operate and annually renew under the purview of their "Home State"

# SARA Partners

## Institutions

Over 2,400 institutions **participate** in SARA

## States (states/districts/territories)

52 states are **members** of SARA

## State Portal Entities (SPE)

One SPE for each SARA member state

## Regional Compacts

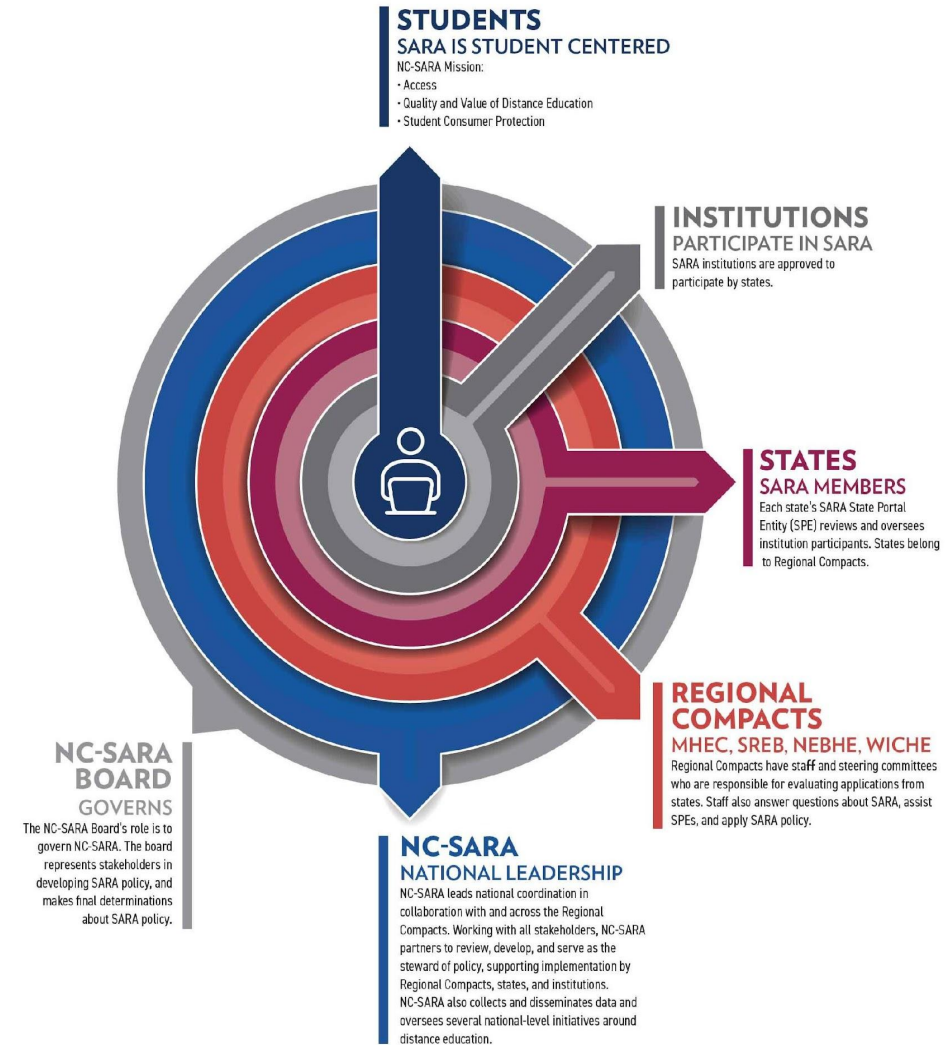
MHEC – NEBHE – SREB - WICHE

## Regional Steering Committees (RSC)

One RSC for each regional compact

## SARA Student Access

Over 1.6 million students attended out of state institutions exclusively via distance education in Fall 2023 and over 370,000 learning placements in calendar year 2022.



# The Critical Role of the States



- States approve their “home-state” institutions to participate in SARA
- The SARA State Portal Entity (SPE) is the state agency responsible for SARA approvals and compliance



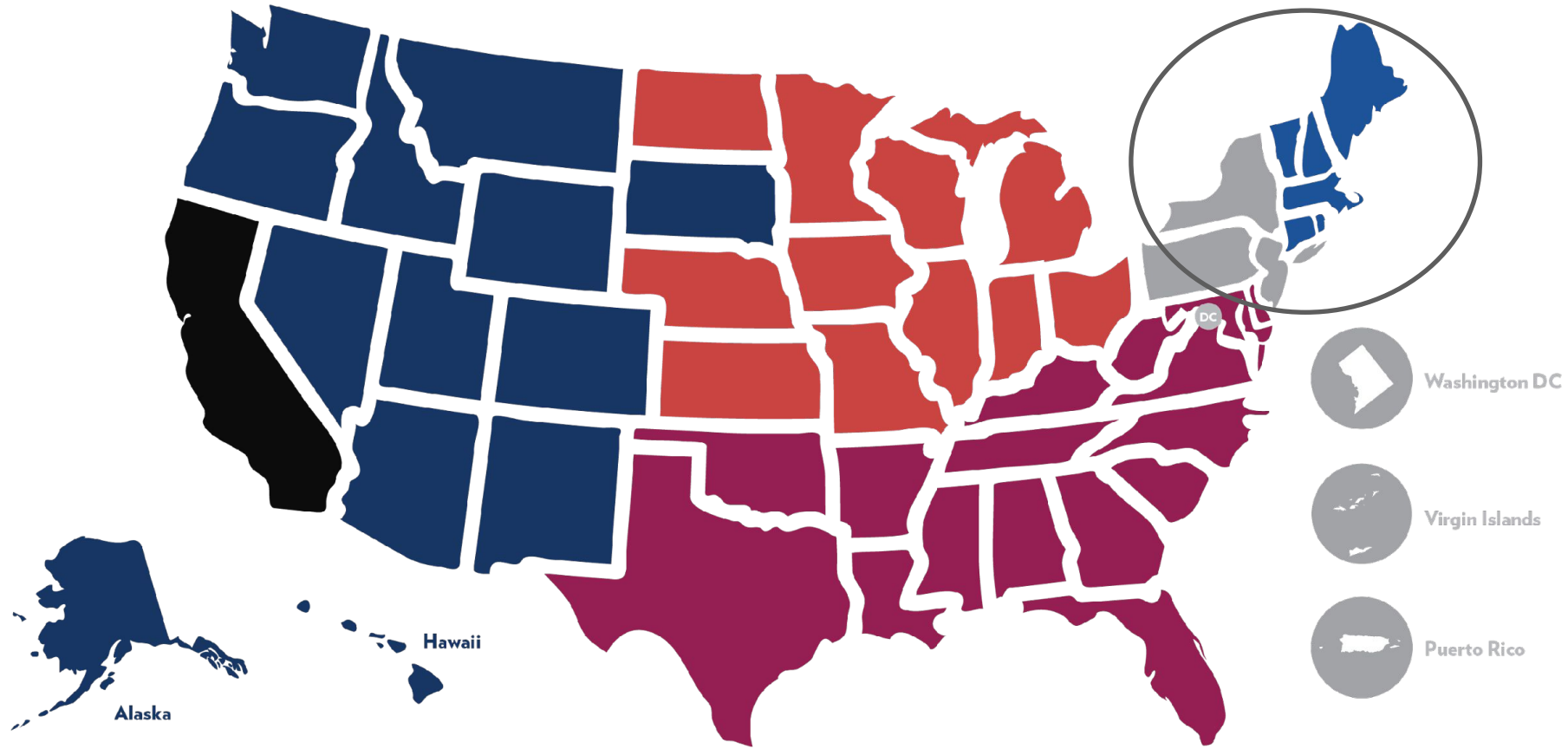
# SARA Member States

## LEGEND

MHEC NEBHE SREB WICHE

MEMBERS  
of SARA; Not in a Compact

NON MEMBER



# Regional Representation: N-SARA

## State Portal Entities (SPE)

- SARA point of contact for the state

## Regional Steering Committees (RSC)

- State, institution, and accreditor representatives

## Regional Compacts

- New England Board of Higher Education (NEBHE)
- Member States
  - U.S. States and Territories need to be a member of one of the four regional higher education compacts or be in an affiliation agreement to be SARA members, and therefore enable institutions in their jurisdictions to participate in SARA
- Affiliate States
  - A few states which are not compact members affiliate with a compact, and for SARA purposes there is no difference for the state or the institution



# N-SARA Responsibilities



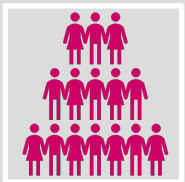
## Leadership

Regional Steering Committee  
Policy Modification Process  
Committees



## Outreach

Conferences & Convenings  
Routine Communication



## Collaboration

NC – SARA Staff  
Regional Compacts  
States  
Professional Organizations

# N-SARA Fast Facts

- **Charlotte Ochs** - SARA point person
- Over **367** institutions participate in SARA in our region (six New England states, New Jersey and New York)
- **493,434** students enrolled at NEBHE SARA institutions at a distance in Fall 2022, **about 50%** of whom were enrolled outside of their home state
- More students incoming to NEBHE region than enrolling outside the region
- Nearly **\$33 million** was saved by SARA institutions on state authorization renewal costs in 2023 (NCHEMS and NC-SARA report)



# SARA Learning Station



Powered by NC-SARA

<https://nc-sara.org/sara-learning-station>

- SARA Quick Start Guides (12)
- Free Online Courses for Institutions: SARA 101; Foundations of Data Reporting
- SARA Institution Welcome Kit
- NC-SARA's Webinars



# SARA Quick Start Guides

1. Annual Data Reporting
2. California Students
3. Field Trips
4. Institution Applications
5. Military Bases
6. Overseas Students
7. Professional Licensure
8. SARA Fees
9. SARA Late Fees
10. Short Courses
11. Student Complaints
12. Third Party Contracts



## What is SARA?

Professional Licensure Directory  
State Authorization Guide  
Data Dashboards & Annual Data Reports  
Cost Savings Calculator  
Institution Directory  
SARA Policy & Modification Process



# Current Areas of Work

- NC-SARA Auto-Generated Emails to Institutions; feedback and roll out
- Approaching Changes to Administrative Forms (e-forms)
- Late Fees for SARA Participating Institutions
- NC-SARA Institutional Advisory Committee



# Future Areas of Work

- SARA Policy Modification Process Enhancements
- CSV upload feature for data reporting
- SARA Institutional Application
- Enhanced access for institutional contacts
- Institutional Continuing Education



# NC-SARA Participation Fees

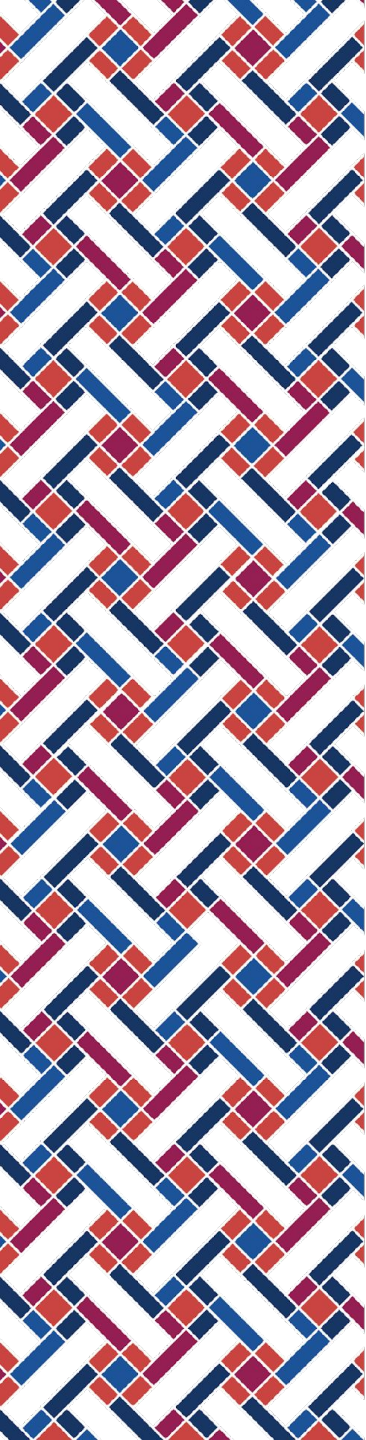
**Note** – this is separate from and in addition to any fees charged by the State of New Jersey for SARA participation

The NC-SARA fee will be assessed as follows (effective July 1, 2024):

The average institution is saving nearly **\$66,000** annually by participating in SARA, per the latest NCHEMS & NC-SARA review and report.

Enrolled FTE	Annual Fee –
Less than 2,500	\$2,200
2,500-9,999	\$4,400
10,000-29,999	\$6,600
30,000 or more	\$8,800

# SARA Policy Modification Process



The screenshot shows the NC SARA website with a navigation menu including ABOUT, STUDENTS, STATES, INSTITUTIONS, POLICY, RESEARCH & DATA, RESOURCES, and NEWS & EVENTS. The main content area features a large image of an open book with the text "SARA Policy" overlaid. A dropdown menu is open under the "POLICY" tab, listing: SARA POLICY MANUAL, SARA POLICY ANNOUNCEMENTS, SARA POLICY MODIFICATION PROCESS, and PARTICIPATE IN SARA POLICY MODIFICATIONS. Below the image, the "Overview of SARA Policy" section includes a "SARA Policy Background" paragraph and a table of contents for the "Policy" section.

The State Authorization Guide Log In  

NC SARA ABOUT STUDENTS STATES INSTITUTIONS POLICY RESEARCH & DATA RESOURCES NEWS & EVENTS 

## SARA Policy

- SARA POLICY MANUAL
- SARA POLICY ANNOUNCEMENTS
- SARA POLICY MODIFICATION PROCESS
- PARTICIPATE IN SARA POLICY MODIFICATIONS

### Overview of SARA Policy

#### SARA Policy Background

SARA – the State Authorization Reciprocity Agreements – provides a streamlined, reciprocity-based process for participating postsecondary institutions to gain approval to offer interstate distance education in SARA member states without individually applying to each state for such approval, subject to certain limitations. SARA centralizes the authorization process for each SARA-participating institution in a single state that SARA calls the institution’s “home state.” Institutions approved by their states to participate in SARA must be appropriately accredited and meet academic and financial requirements designed to protect and benefit students.

Policy
SARA Policy Manual
SARA Policy Announcements
SARA Policy Modification Process
Participate in SARA Policy Modifications

# SARA Policy Modification Process

May 17, 2024	Deadline for public comments on proposed SARA Policy modifications
June 3, 2024	Second period to amend or withdraw proposed SARA Policy modifications opens
July 19, 2024	Final deadline to amend or withdraw proposed SARA Policy modifications
September 6, 2024	Deadline for Regional Compacts and Regional Steering Committees to review and vote to approve or not approve each proposed policy modification
October 23-25 2024	NC-SARA Board review and vote on proposed policy modifications approved by each Regional Compact and Regional Steering Committee
December 31, 2024	Revised <i>SARA Policy Manual</i> published on NC-SARA website
January 2025	SARA Policy Modification Process cycle for 2025 begins





# SARA Policy Modification Process

- Area of focus: provisional status and financial responsibility
  - PMP24-0612: Provisional Status Reason and Disclosure
  - PMP24-0631: SPE ability to review new institution applicant
  - PMP24-0632: Off-Ramp from Provisional Status
  - PMP24-0633: Timely Financial Responsibility Composite Scores
- Goals
  - provide students with the information they need to make informed decisions
  - enshrine consistent expectations for institutions
  - increase a state's ability to accurately assess current financial stability

# Questions and Discussion



# Thank You!

For **NC-SARA** questions please email:  
[info@nc-sara.org](mailto:info@nc-sara.org)

NC-SARA Website: [www.nc-sara.org](http://www.nc-sara.org)



For **N-SARA** questions please email:  
[cochs@nebhe.org](mailto:cochs@nebhe.org)

N-SARA Website: [www.nebhe.org/sara/](http://www.nebhe.org/sara/)



# The Intersection of Negotiated Rulemaking and SARA Policy

## NEW JERSEY INSTITUTIONS STATE AUTHORIZATION RECIPROCALITY AGREEMENTS (SARA) VIRTUAL CONVENING

July 30, 2024

Jeannie Pauline Yockey-Fine, Senior Vice  
President & General Counsel, NC-SARA

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



# 2021-2022 Negotiated Rulemaking Review

## U.S. Department of Education Final Rule: Certification Procedures (Published October 2023; Effective July 1, 2024)

<https://www.govinfo.gov/content/pkg/FR-2023-10-31/pdf/2023-22785.pdf>

<https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2024-04-09/updates-new-regulatory-provisions-related-certification-procedures-and-ability-benefit>

[Certification Procedures - Questions and Answers 05/17/24](#)

<https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-668>



# Final Regulation

The language was published in the Federal Register on October 31, 2023.

- Financial Responsibility, Administrative Capability, Certification Procedures, Ability to Benefit (ATB).
- The U.S. Department of Education will require institutions to certify compliance as part of the Program Participation Agreement (PPA) post-July 1, 2024.
- Potential impact to SARA of the Certification Procedures (PPA) 34 CFR 668.14(b)(32)(iii) related to state closure laws.
- Impact of new requirements at 34 CFR 668.14(b)(32)(ii) regarding professional licensure programs and the *SARA Policy Manual* Section 5.2.



## Certification Procedures – Closure

### 34 CFR 668.14(b)(32)(iii) effective July 1, 2024

*34 CFR 668.14(b)(32) In each State in which: the institution is located; students enrolled by the institution in distance education or correspondence courses are located, as determined at the time of initial enrollment in accordance with 34 CFR 600.9(c)(2); or ...each student who enrolls in a program on or after July 1, 2024, and attests that they intend to seek employment, the institution must determine that each program eligible for title IV, HEA program funds...*

*(iii) Complies with all State laws related to closure, including record retention, teach-out plans or agreements, and tuition recovery funds or surety bonds.*

[Federal Register / Vol. 88, No. 209 / Tuesday, October 31, 2023 / Rules and Regulations 74697](#)

<https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-668>



# Preamble

“We did not regulate the conditions, structure, or other elements of State reciprocity agreements or the organizations that operate them, nor did we set requirements that States must follow to oversee institutions enrolling students in a State where they have no physical presence.”

“The extent to which States have these laws [related to closure], what they require, and to whom they apply them to is up to the States.”

[Federal Register / Vol. 88, No. 209 / Tuesday, October 31, 2023 / Rules and Regulations 74573](#)





## Preamble (Cont'd)

“We note that many States exempt closure requirements for institutions of certain sectors, students attending out-of-State institutions through distance education, institutions under a reciprocity agreement, or a combination of those factors.”

[Federal Register / Vol. 88, No. 209 / Tuesday, October 31, 2023 / Rules and Regulations 74651](#)



# ***SARA Policy Manual Section 2.5***

## Functional responsibilities of SARA States

“The state agrees that, if it has requirements, standards, fees, or procedures for the approval and authorization of non-domestic institutions of higher education providing distance education in the state, it will not apply those requirements, standards, fees or procedures to any Non-domestic (out-of-state) institution that participates in SARA; instead, the state will apply those specifically prescribed in or allowed by SARA policies.”

REF: [https://nc-sara.org/sites/default/files/files/2024-06/SARA\\_Policy\\_Manual\\_24.1\\_blackline\\_06.26.24\\_0.pdf](https://nc-sara.org/sites/default/files/files/2024-06/SARA_Policy_Manual_24.1_blackline_06.26.24_0.pdf)



# Impact on the SARA Community



34 CFR 600.2

“State authorization reciprocity agreement: An agreement between two or more States that authorizes an institution located and legally authorized in a State covered by the agreement to provide postsecondary education through distance education or correspondence courses to students located in other State covered by the agreement and cannot prohibit any member State of the agreement from enforcing its own **general-purpose** State laws and regulations outside of the State authorization of distance education.”



# Certification Procedures - Programs Leading to a License or Certification

## 34 CFR 668.14(b)(32)(ii) effective July 1, 2024

*34 CFR 668.14(b)(32) In each State in which: the institution is located; students enrolled by the institution in distance education or correspondence courses are located, as determined at the time of initial enrollment in accordance with 34 CFR 600.9(c)(2); or ...each student who enrolls in a program on or after July 1, 2024, and attests that they intend to seek employment, the institution must determine that each program eligible for title IV, HEA program funds...*

*(ii) Satisfies the applicable educational requirements for professional licensure or certification requirements in the State so that a student who enrolls in the program, and seeks employment in that State after completing the program, qualifies to take any licensure or certification exam that is needed for the student to practice or find employment in an occupation that the program prepares students to enter;...*

[Federal Register / Vol. 88, No. 209 / Tuesday, October 31, 2023 / Rules and Regulations 74697](#)

<https://www.ecfr.gov/current/title-34/subtitle-B/chapter-VI/part-668>



# *SARA Policy Manual Section 5.2*

## Programs leading to Professional Licensure

“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.”**



# 34 CFR 668.14(b)(32)(ii) effective July 1, 2024

As part of the [2024 SARA Policy Modification Process](#), there is currently a proposal [PMP24-0630](#) that modifies Section 5.2 as follows, which is needed to align with 34 CFR 668.14(b)(32)(ii):

“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 [and programs](#).”

~~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.”~~



# 34 CFR 668.14(b)(32)(ii) effective July 1, 2024

Per [PMP24-0630](#) “Additional Rationale from Alignment Discussions”:

When NC-SARA first added disclosure requirements, it was at a time when no federal rules addressing this same topic were in effect, and NC-SARA’s role in filling this void was both understandable and desirable from a consumer protection standpoint.

The U.S. Department of Education (ED) has since promulgated its own rules on licensure disclosures. The existing regulation, § 600.9(c)(2)(iii), provides that an institution must make a determination regarding the State in which a student is located at the time of the student's initial enrollment in an educational program and, if applicable, upon formal receipt of information from the student, in accordance with the institution's procedures, that the student's location has changed to another State.



# 34 CFR 668.14(b)(32)(ii) effective July 1, 2024

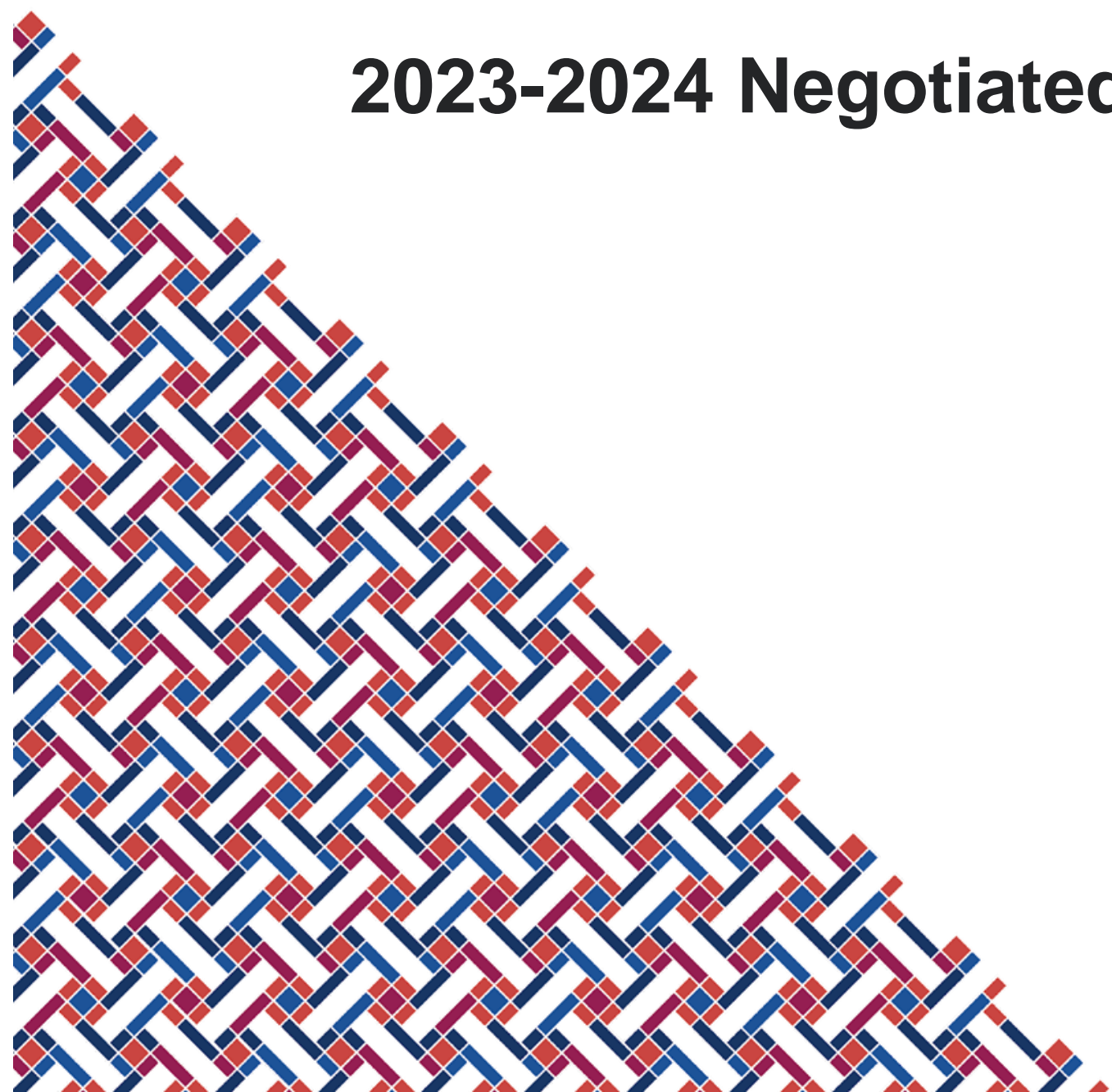
Per [PMP24-0630](#) “Additional Rationale from Alignment Discussions” (cont’d):

The ED has continued to strengthen regulations pertaining to professional licensure by §668.14(b)(32) to cover States in which students enrolled by the institution in distance education or correspondence courses are located, as determined at the time of initial enrollment in accordance with 34 CFR 600.9(c)(2); or, for the purposes of paragraphs (b)(32)(i) and (ii), each student who enrolls in a program on or after July 1, 2024, and attests that they intend to seek employment.





# 2023-2024 Negotiated Rulemaking Update



# 4 Main Areas of Concern

- “Applicable state laws” related to closure
- 500 rule
- Role of states
- Board composition

U.S. Dept of Ed 2023-2024 Neg Reg Website:

<https://www2.ed.gov/policy/highered/reg/hearulemaking/2023/index.html>

Issue Paper 2: State Authorization (Non-consensus):

<https://www2.ed.gov/policy/highered/reg/hearulemaking/2023/state-authorization-non-consensus.pdf>



# “Applicable State Laws”

## Proposal:

### Institutions Must Follow All Closure Laws in a State

- Even if a member of a reciprocity agreement...a state can require institutions to follow applicable State laws related to closure, including:
  - record retention,
  - teach-out plans or agreements, and
  - tuition recovery funds or surety bonds.



# 500 Rule

## Proposal:

### No More Than 500 Students in a State

- Institutions enrolling more than 500 students in a state in the two most recent financial aid award years can no longer use reciprocity in that state.
- The institution must seek authorization directly from the state.



# 500 Rule

SARA Call To Action:

<https://nc-sara.org/sara-neg-reg-call-action>

- SARA institutions with 500+ EDEE in other states  
[https://nc-sara.org/sites/default/files/files/2024-03/Institutions\\_with\\_more\\_than\\_500\\_students\\_in\\_another\\_state\\_over\\_two\\_years.pdf](https://nc-sara.org/sites/default/files/files/2024-03/Institutions_with_more_than_500_students_in_another_state_over_two_years.pdf)
- SARA institutions with 500+ OOSLP in other states  
[https://nc-sara.org/sites/default/files/files/2024-03/Institutions\\_with\\_more\\_than\\_500\\_OOSLP\\_in\\_another\\_state\\_over\\_two\\_years.pdf](https://nc-sara.org/sites/default/files/files/2024-03/Institutions_with_more_than_500_OOSLP_in_another_state_over_two_years.pdf)



# 500 Rule - NJ

How it looks in NJ if the ED threshold is 500 students (Fall 2021 and Fall 2022)

- NJ has no institution that enrolled more than 500 students in another state.
- 20 institutions enrolled more than 500 students in NJ (The largest include Southern New Hampshire University, Western Governors University, University of Phoenix, Chamberlain University, and Penn Foster College).



# If 100 Rule - NJ

How it looks in NJ if the ED threshold is 100 students (based on Fall 2022 only)

- NJ has 6 institutions (Rutgers, the State University of New Jersey; Seton Hall University; Stevens Institute of Technology; Sussex County Community College; Thomas Edison State University; and William Paterson University of New Jersey) that enrolled more than 100 students in another state.
  - Thomas Edison State University enrolled more than 100 students in 13 states, and the other 5 institutions enrolled students in New York or Pennsylvania (or both, for Rutgers).
  - In total, 4,173 students from Fall 2022 could be impacted.
- 75 institutions enrolled more than 100 students in NJ.



# 500 Rule - NEBHE

How it looks in the NEBHE region if the ED threshold is 500 students

- NEBHE has four institutions (Bryant & Stratton, Excelsior University, Post University, and SNHU) that enrolled more than 500 students in another state/states in Fall 2021 and Fall 2022.
- 24 institutions enrolled more than 500 students in the NEBHE region (the majority in NY or NJ) over two years Fall 2021 and Fall 2022.
- 55 institutions enrolled more than 500 students in the NEBHE region (the majority in NY or NJ) in Fall 2022.





# If 100 Rule - NEBHE

How it looks in the NEBHE region if the ED threshold is 100 students (based on Fall 2022 only)

- NEBHE has 43 institutions that enrolled more than 100 students in another state.
- 259 institutions enrolled more than 100 students in NEBHE states.



# Role of States

## Proposal:

### Change (Perhaps?) Some Roles of States in a Reciprocity Agreement

States that are members of a reciprocity agreement:

- Retain the ability to enforce their general-purpose state laws.
- Condition or revoke authorization of an institution through reciprocity for violations of general-purpose laws and regulations.
- Permit states to accept, investigate, and resolve complaints without first requiring the student to go through an institutional process.



# Board Composition

## Proposal:

### Reciprocity Governance Requirements

- Governing body for a reciprocity agreement must consist solely of representation from:
  - State regulatory and licensing bodies,
  - Enforcement agencies, and
  - Attorneys general offices.



# What Happens Next?

Keep an eye on NC-SARA's [Call to Action](#) page on website:

<https://nc-sara.org/sara-neg-reg-call-action>

Institutional Closure Working Group



# Closing Remarks

- NOT a time to panic.
- But certainly, a time for concern.
- Stay informed and be a part of the solution.





# Questions



# Thank you!

For questions please email:  
[info@nc-sara.org](mailto:info@nc-sara.org)



<https://www.linkedin.com/company/nc-sara>



**National Council for  
State Authorization  
Reciprocity Agreements**

MHEC • NEBHE • SREB • WICHE



# **New Jersey SARA Workshop**

## **NJ SARA Data & Data Resources**

**Dr. Rachel Christeson**  
**Director for Research & Data Analysis**  
**NC-SARA**  
**July 30, 2024**

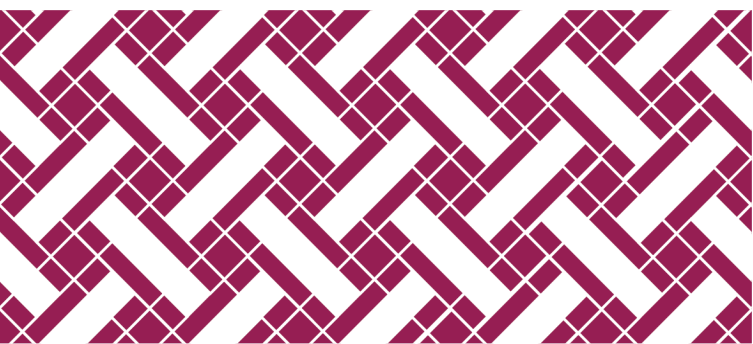


# NJ SARA Data & Data Resources

## Agenda:

- 2023 Data Reporting
  - Participating Institutions
  - Exclusively Distance Education Enrollment (EDEE)
  - Out-of-State Learning Placements (OOSLP)
  - Looking forward to 2025
- NC-SARA Data Resources
  - Data Dashboards
  - Cost Savings Report
  - Complaints Dashboard
  - Distance Education & Workforce Development Reports





# 2023 Data Reporting

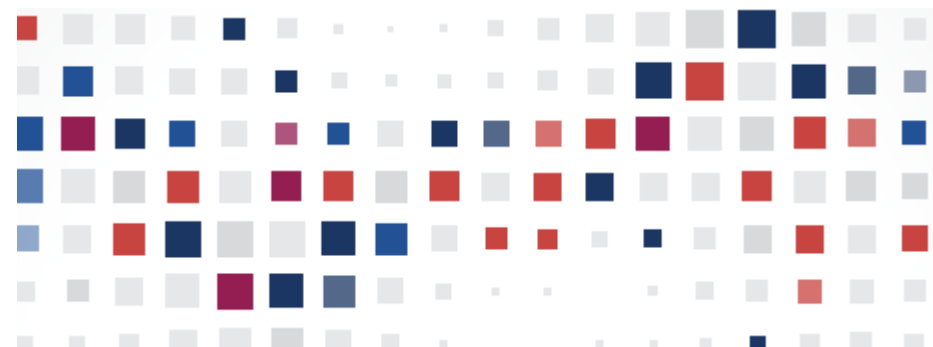
# What is the SARA Data?

## Exclusively Distance Education Enrollment (EDEE)

- Institutions report their exclusively distance education enrollments
- Report enrollments as you do to IPEDS (Fall EF report) – but disaggregated by state
- Includes in-state and out-of-state

## Out-of-State Learning Placements (OOSLP):

- Report on-ground and online student OOSLP
- OOSLP Does NOT include In-State



# How You Might Use the SARA Data



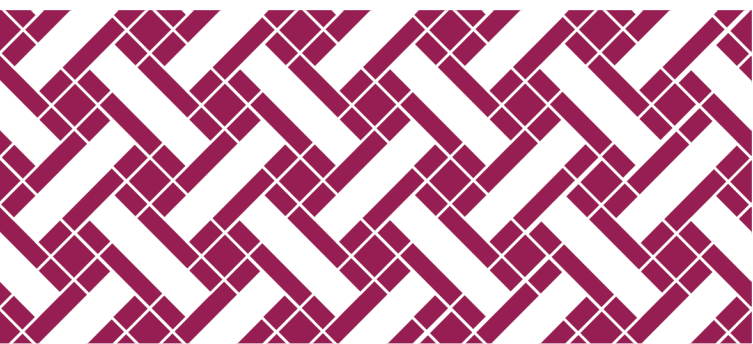
- The data describe the distance education landscape in your state or region
- They hold historical trends and may provide insights that could inform key decisions about distance education offerings
- These data may be used as your institution plans for new distance education programs to meet student needs and institutional goals
- These data may be used by your state to ensure institutional compliance

# Methodology

**SARA Data Reporting Window is May 15 – June 15 each year**

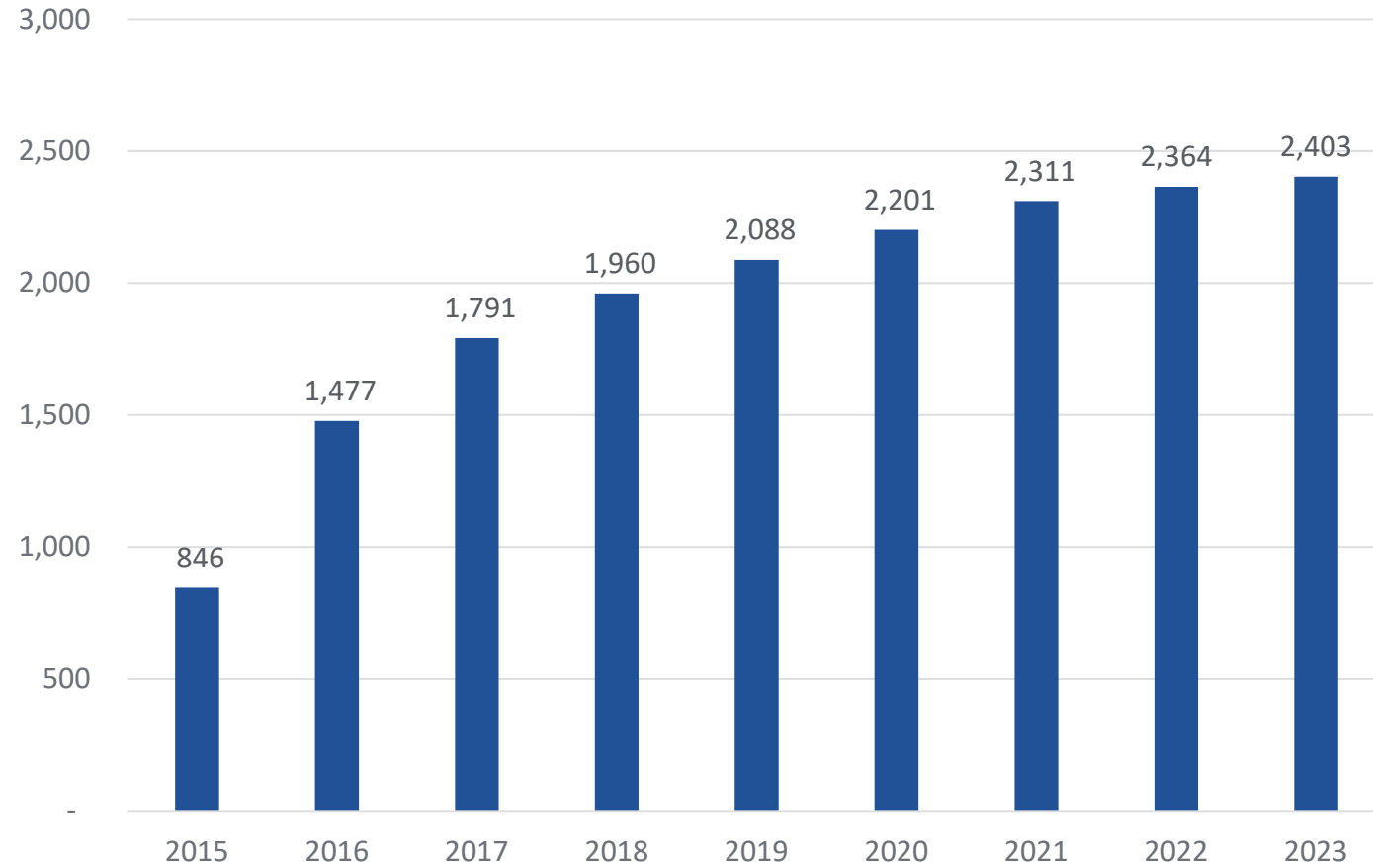
**2,428 Institutions were sent email requests to report**

- 25 exemptions were extended
  - 23 non-renewals or institutional closures
  - 1 joined near the end of 2023
  - 1 exemption given due to extreme staff shortage
- 0 institutions did not report



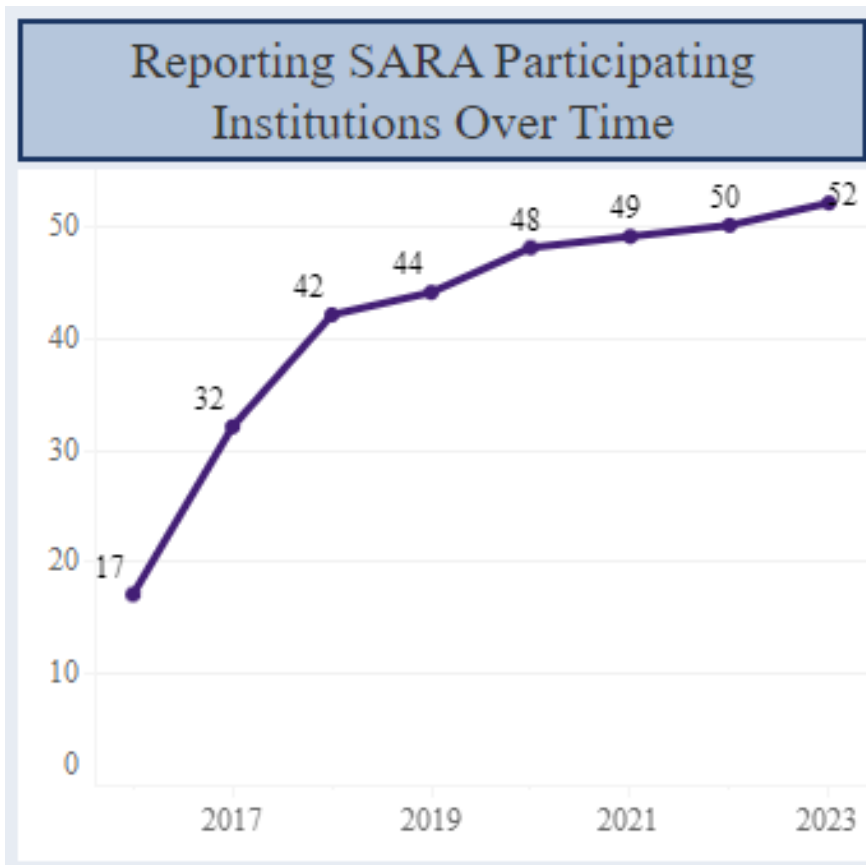
# Participating SARA Institutions

# Number of Reporting Institutions 2015-2023

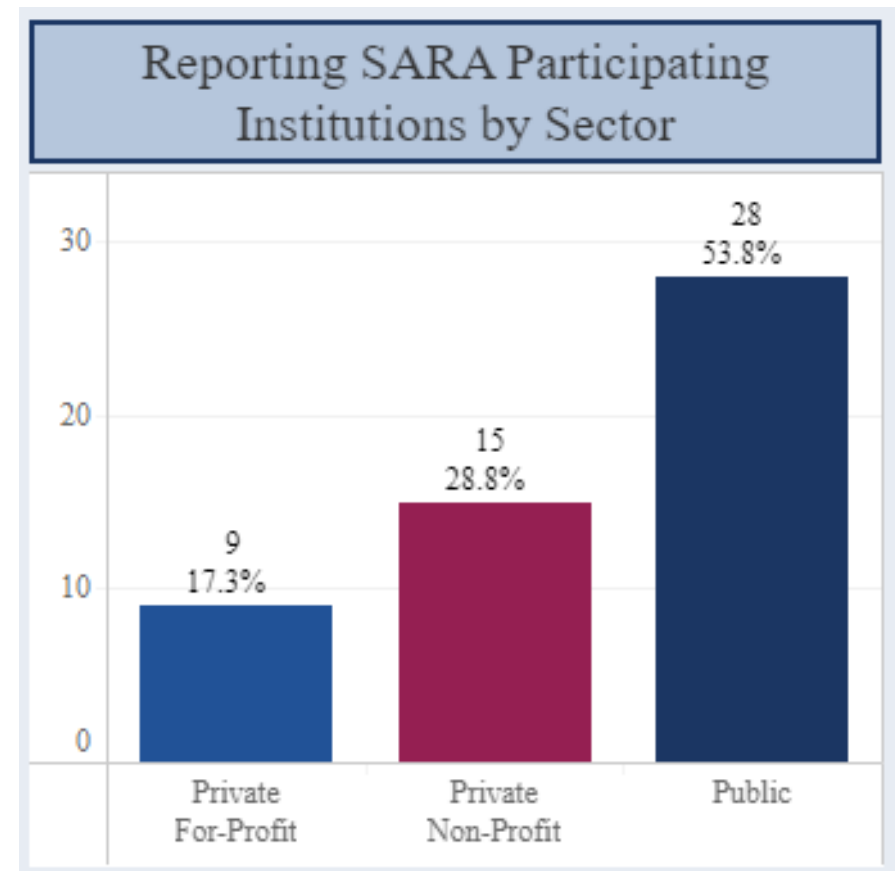


# Total Number of Reporting New Jersey Institutions 2016-2023

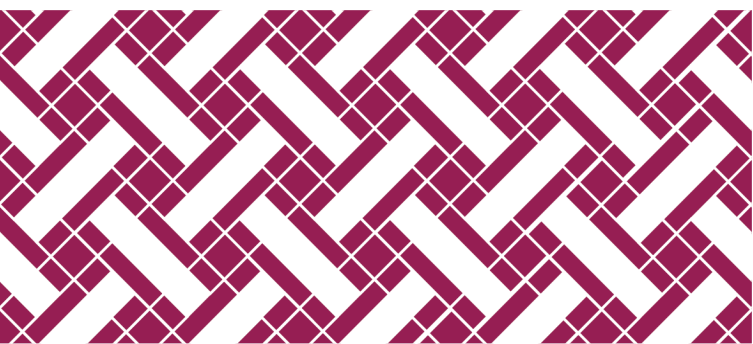
## Number of NJ Institutions Over Time



## Sector of NJ Institutions

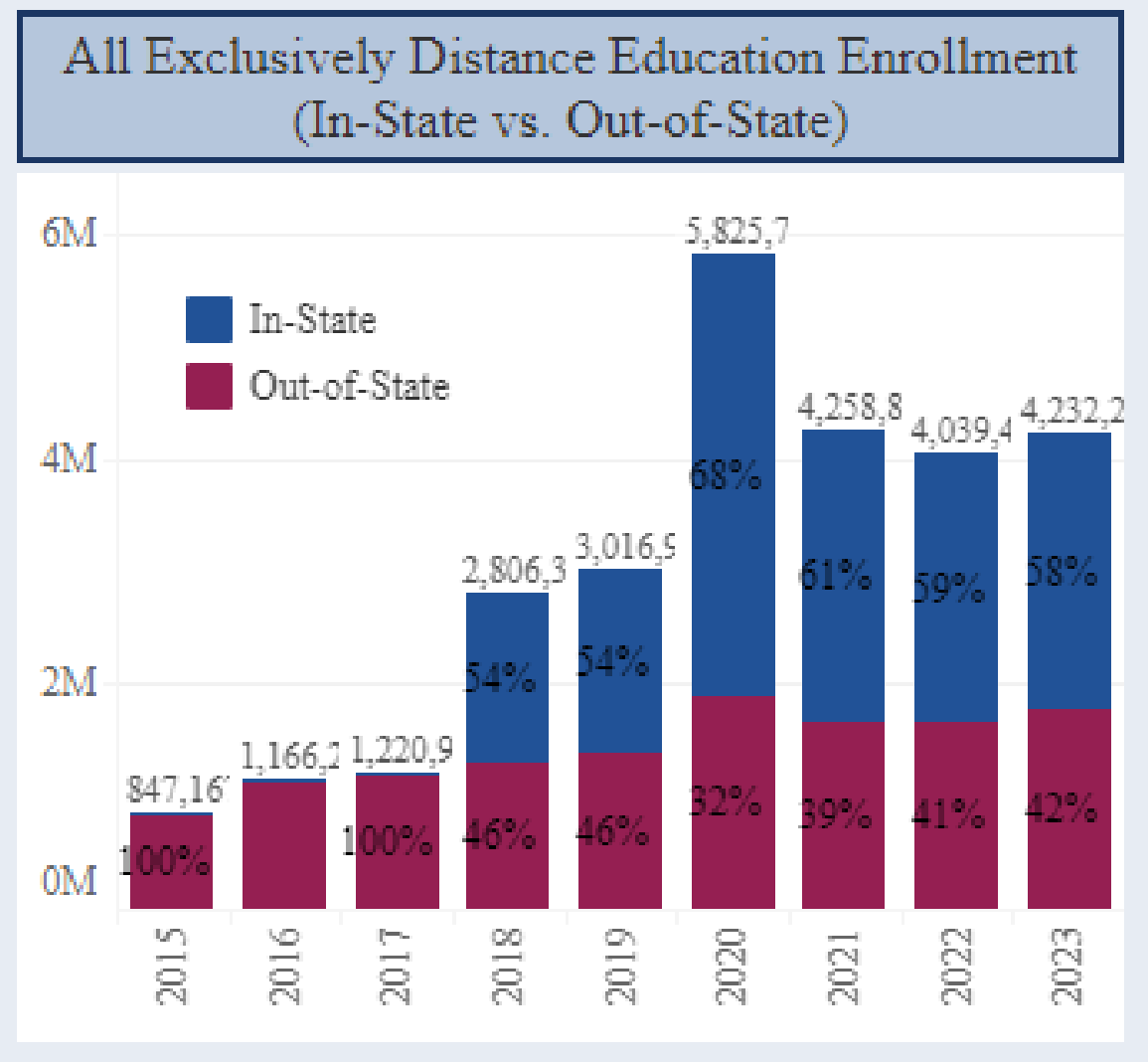




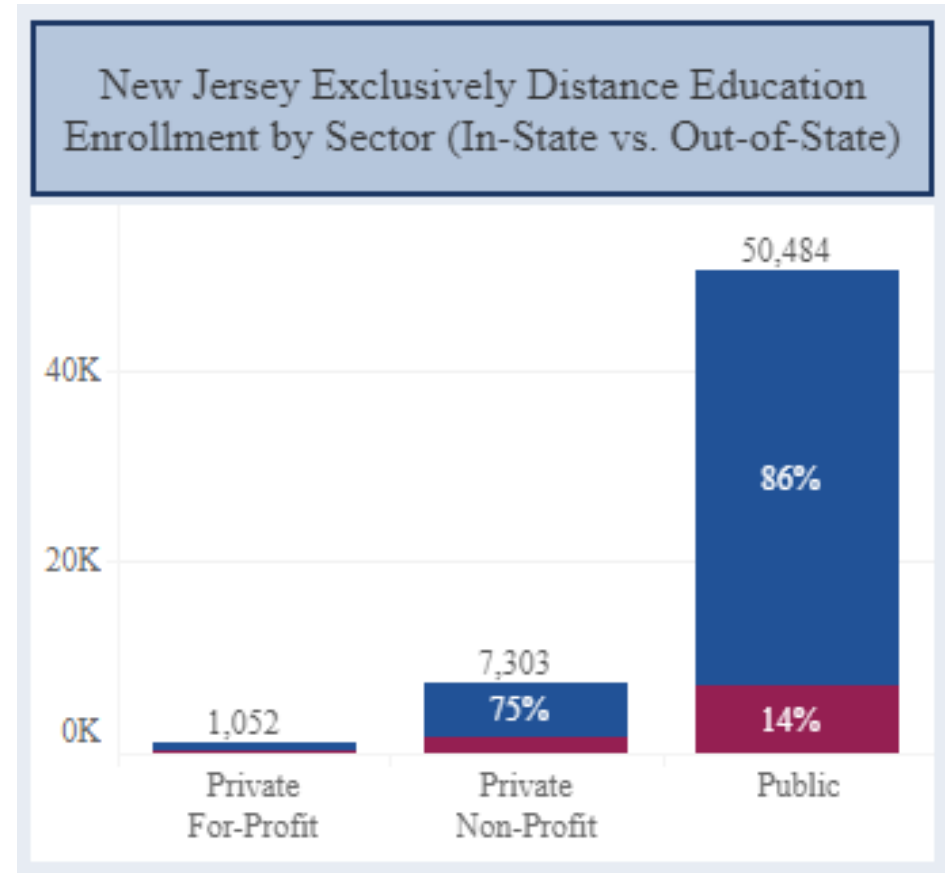
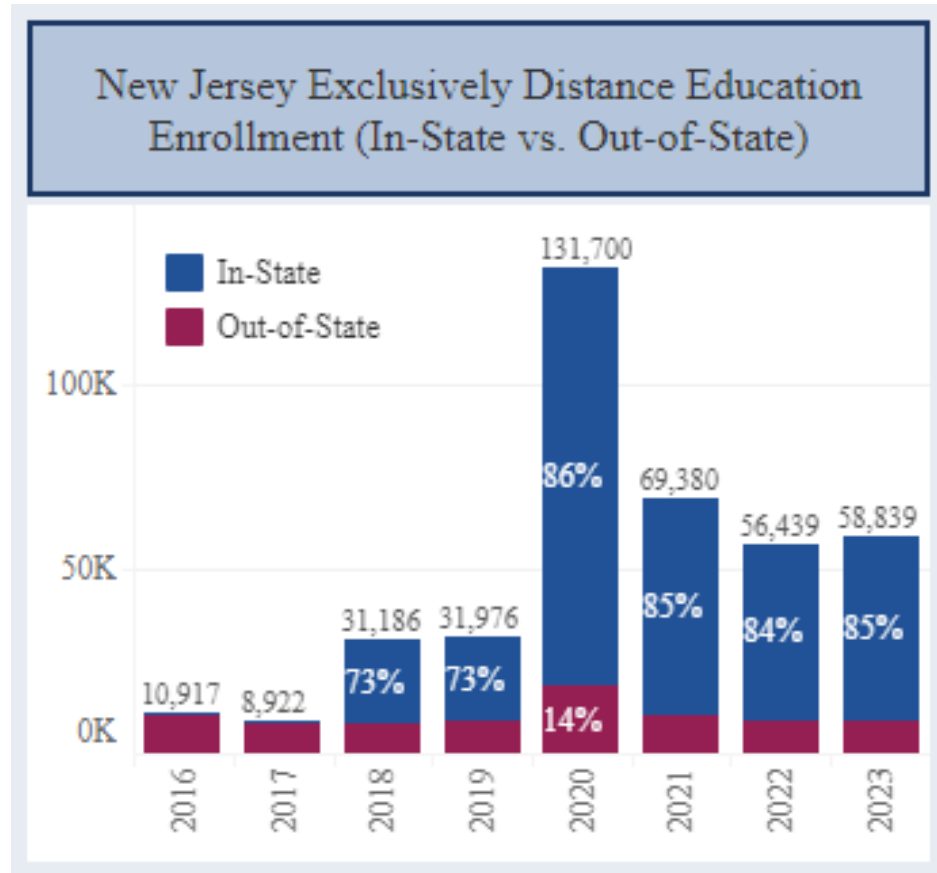


## **Fall 2023 Exclusively Distance Education Enrollment (EDEE)**

# Total Reported In-State and Out-of-State EDEE 2015-2023

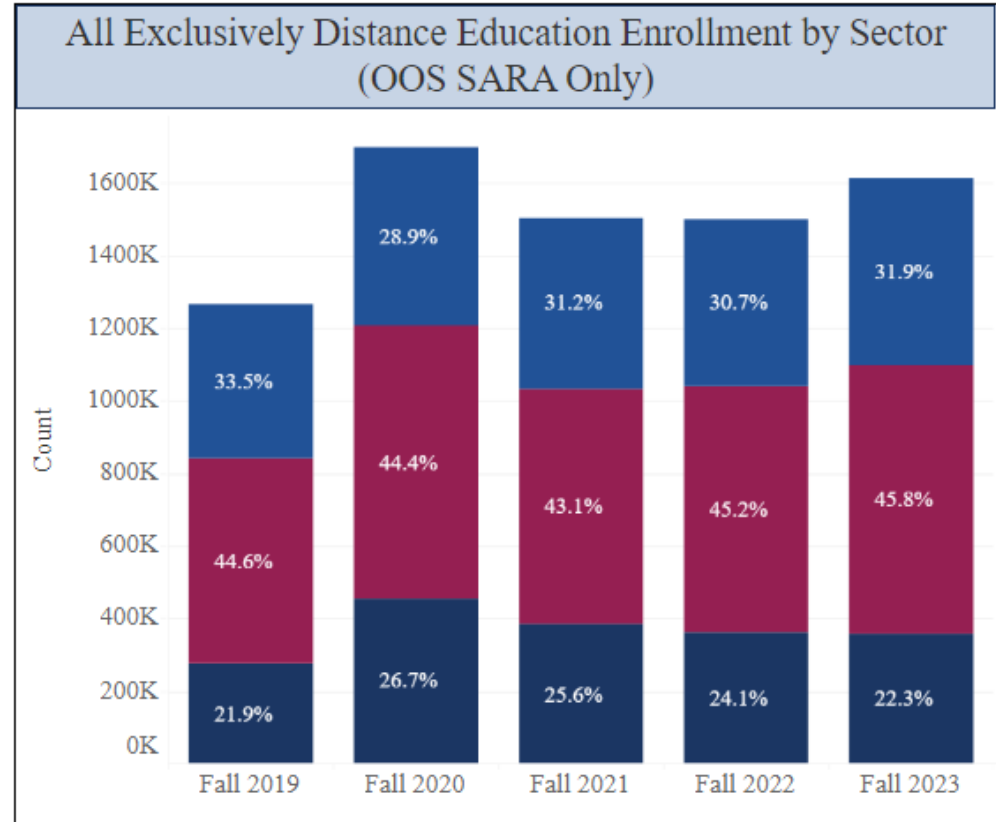
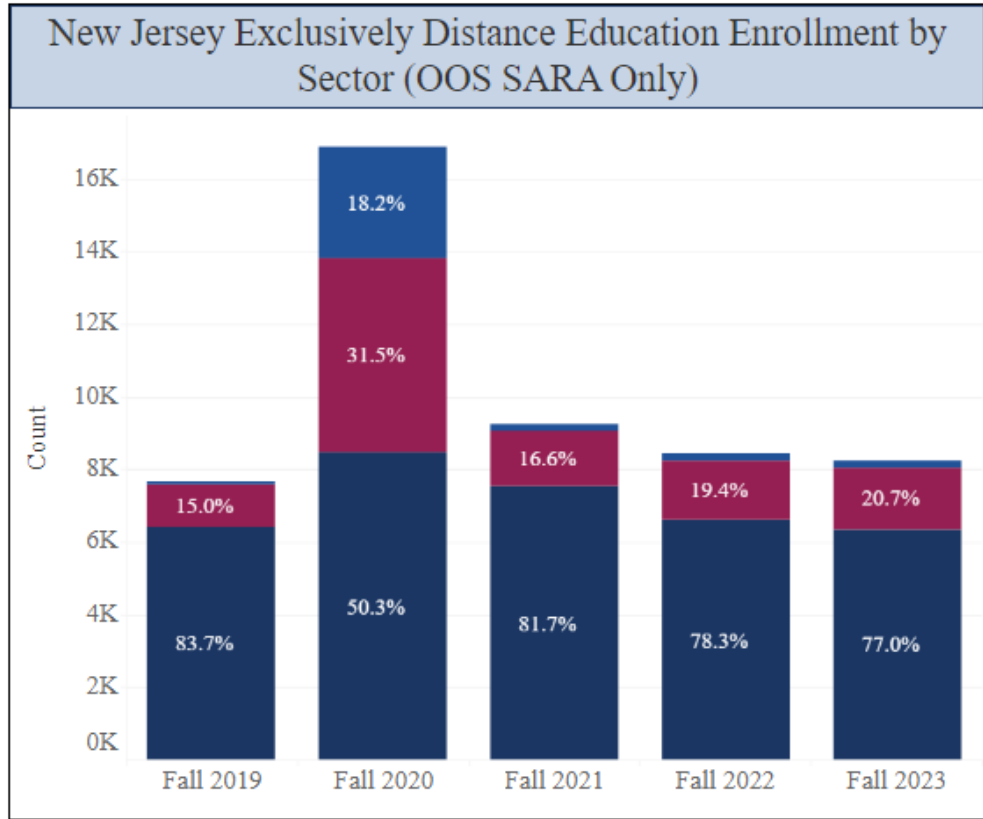


# New Jersey Total EDEE & Sector Trends



Explore the interactive data dashboards:  
<https://nc-sara.org/data-dashboards>

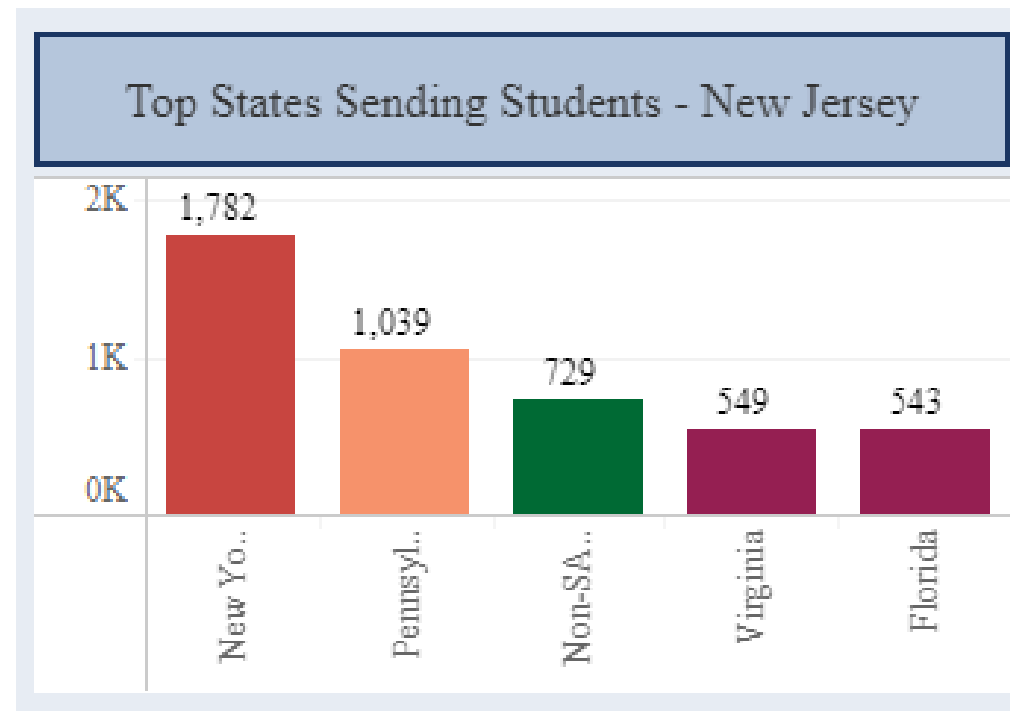
# OOS SARA EDEE by Sector



■ Private For-Profit   
 ■ Private Non-Profit   
 ■ Public   
 ■ Tribal

# Who's attending New Jersey institutions?

- In Fall 2023, 8,974 out-of-state students attended a NJ institution exclusively via distance education.
- 78% attended a public institution (Thomas Edison 4,569 and Rutgers 864 led enrollment).



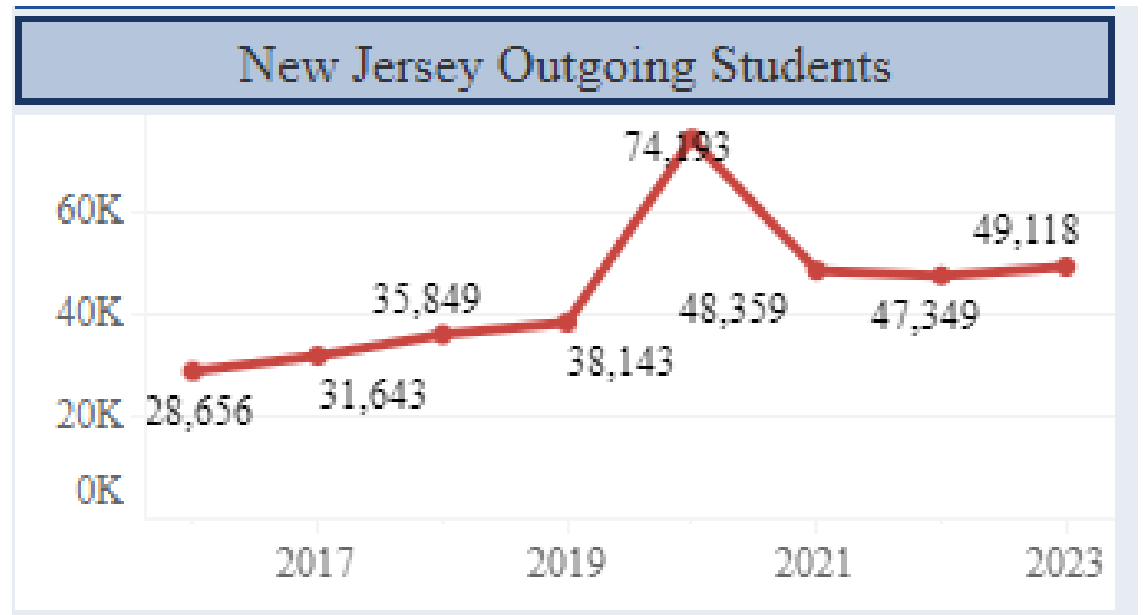
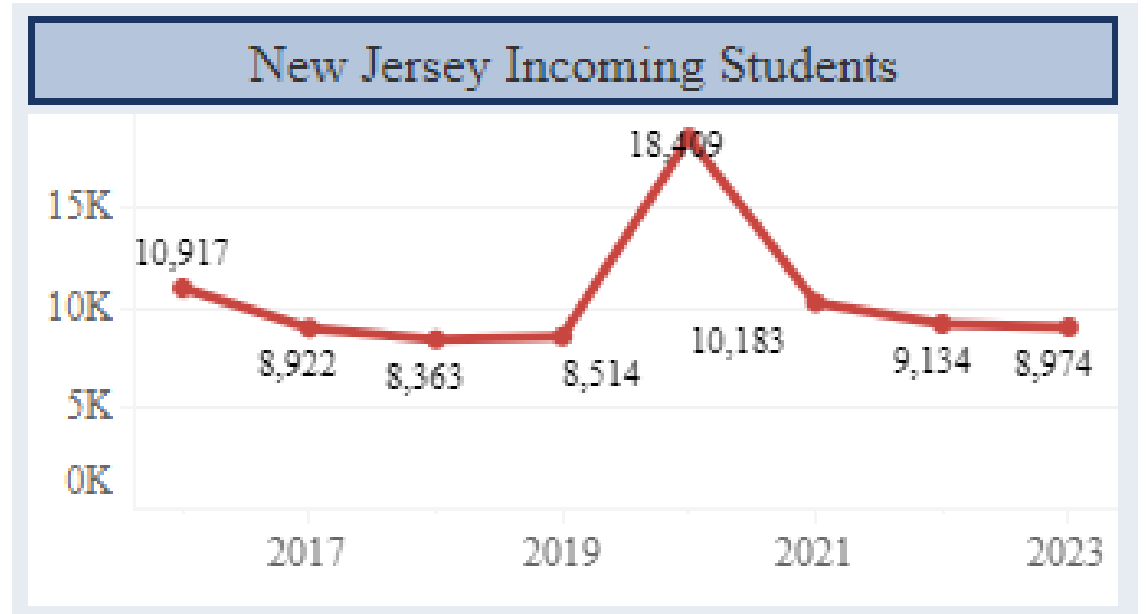
# Where are New Jersey residents enrolling?

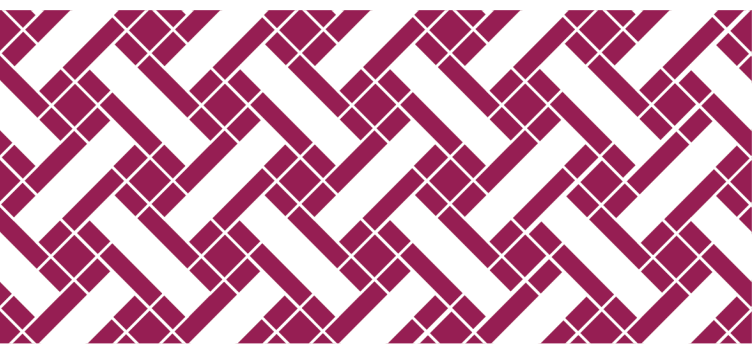
- In Fall 2023, 49,118 New Jersey residents enrolled at an out-of-state institution exclusively via distance education.
- 49% attended a private non-profit; 30% attended a private for-profit; and 21% attended a public institution.

Top Institutions Attended by New Jersey Outgoing Students

Institution	State SARA Group Instit..	
Southern New Hampshire University	New Hampshire	4,255
Western Governors University	Utah	2,532
University of Phoenix	Arizona	2,127
Chamberlain University	Illinois	1,918
Capella University	Minnesota	1,642

# Out-of-State Student Trends in New Jersey





# **2023 Out-of-State Learning Placements**



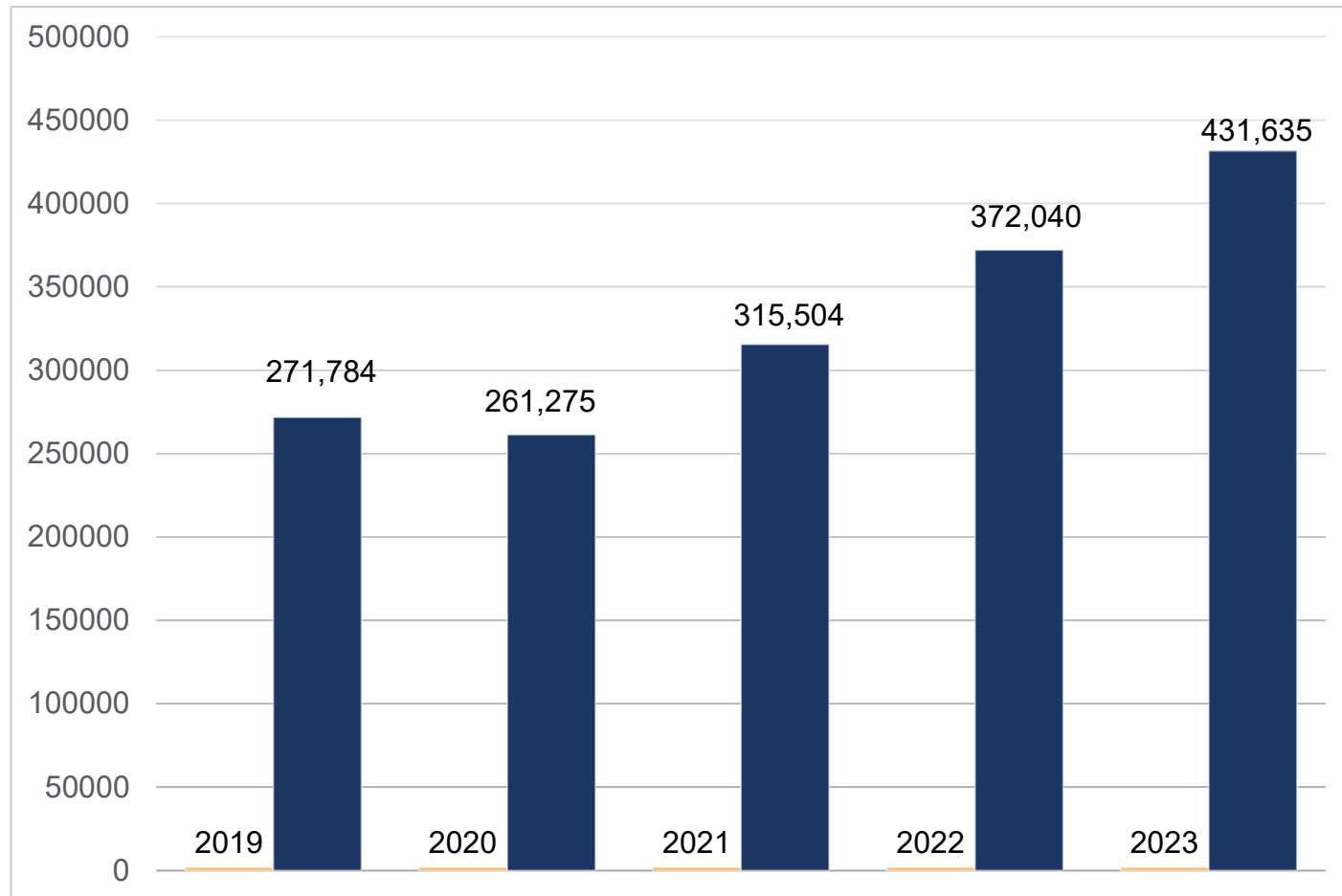
# Out-of-State Learning Placements (OOSLP)

## What are OOSLP?

- Learning placements are on-ground, out-of-state experiential learning activities
- OOSLP include clinical rotations, student teaching, internships, and other similar activities
- OOSLP are often a required part of obtaining a degree and/or license to practice a particular profession
- Note that reporting **includes on-ground students** as well as distance education students



## Total Reported Out-of-State Learning Placements 2019-2023



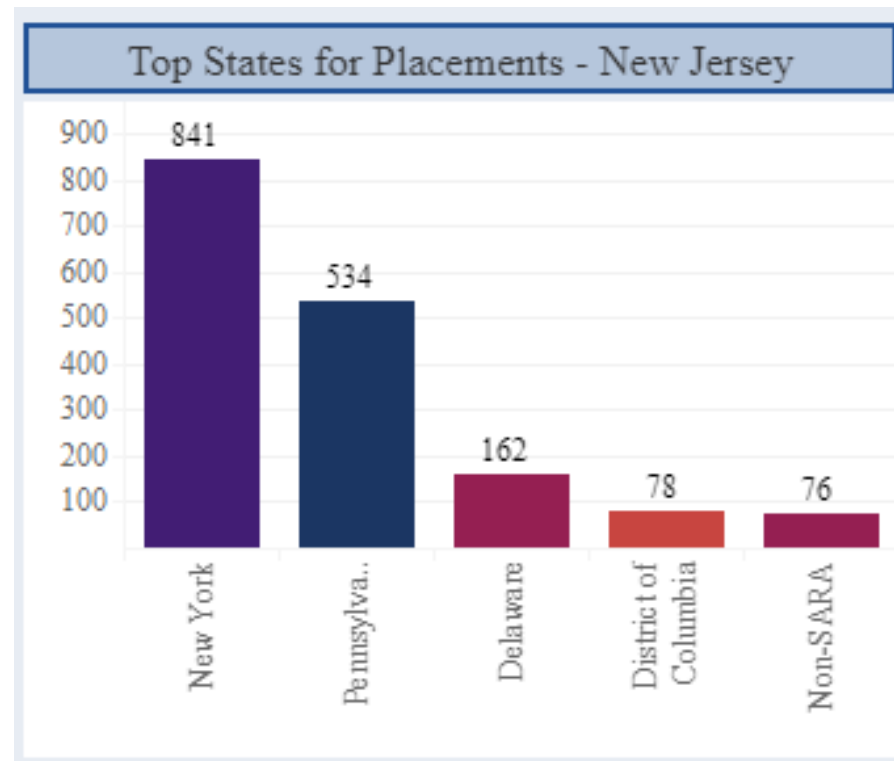
# Who is placing students in New Jersey?

- In 2023, 16,444 students from out-of-state institutions did a learning placement in New Jersey.
- 64% were in Health Professions, followed by Business (6%) and Education (5%).

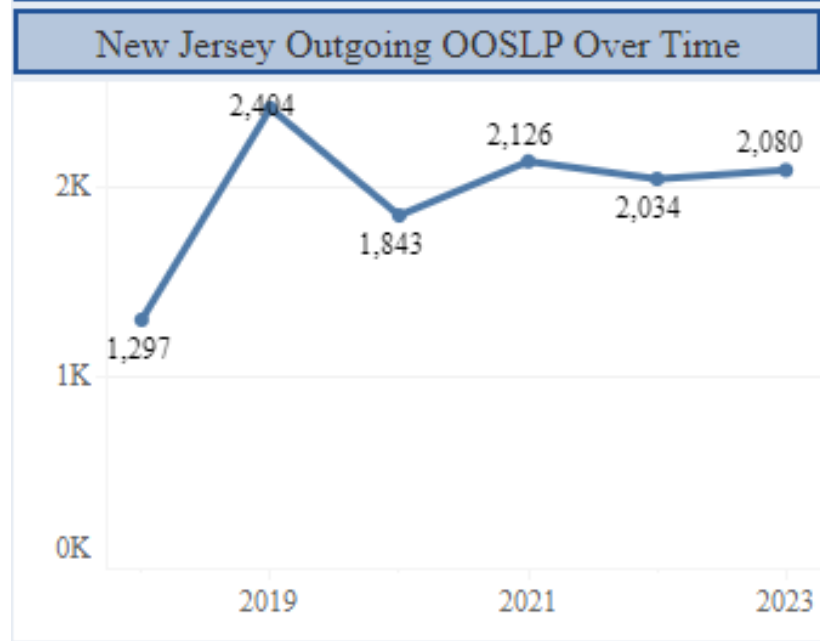
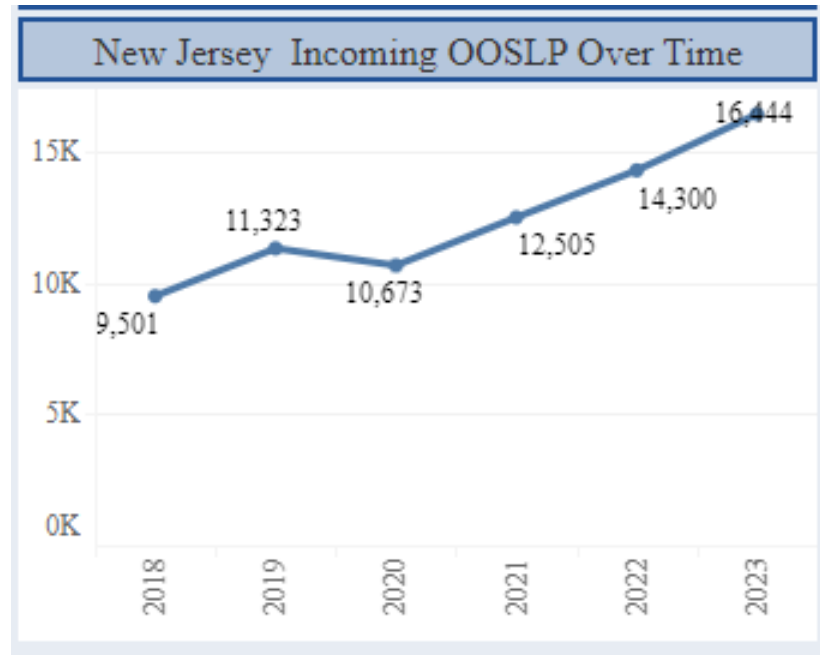
Top 5 Institutions with Incoming Placements			
Account Name	State/Province	Member Type	
Thomas Jefferson University	Pennsylvania	Private Non-Profit	1,380
Drexel University	Pennsylvania	Private Non-Profit	1,197
Touro University	New York	Private Non-Profit	855
Saint Joseph's University	Pennsylvania	Private Non-Profit	639
Philadelphia College of Osteopathic Medicine	Pennsylvania	Private Non-Profit	532

# Where are New Jersey institutions placing students?

- In 2023, New Jersey institutions had 2,080 students participate in learning placements out-of-state.
- 40% were in Health Professions, followed by Psychology (11%) and Communication (9%).

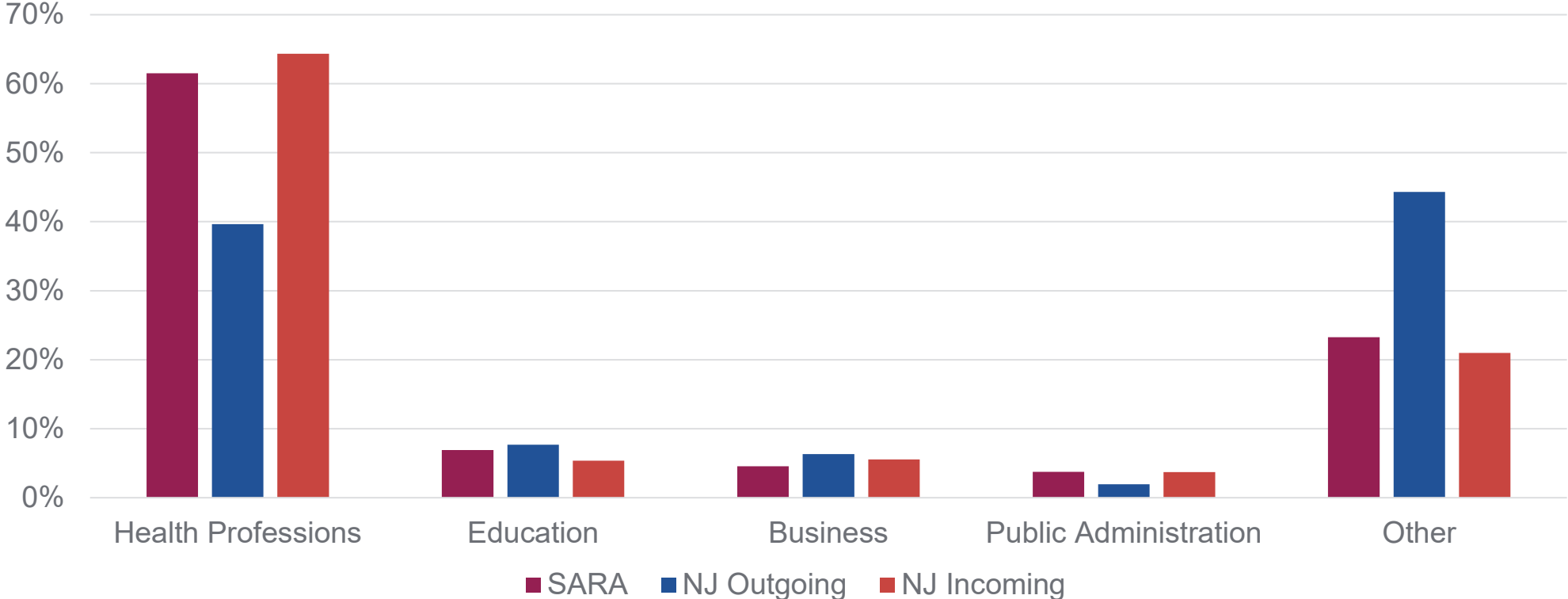


# Out-of-State Learning Placement Trends in New Jersey



# Out-of-State Learning Placements Reported by CIP Code Program Areas

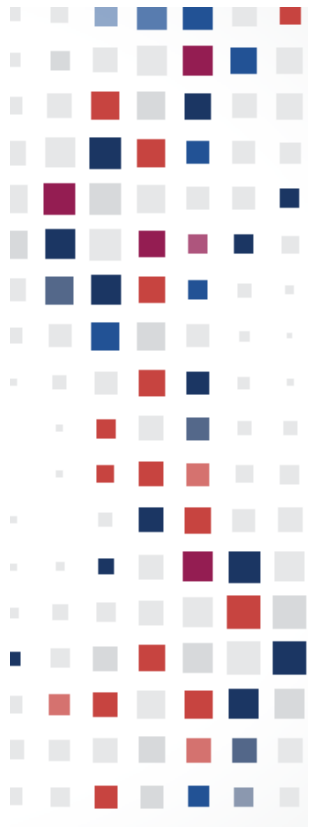
OOSLP % by Program Area



# Important Annual Data Reporting Dates

- **2023 Data Release:** October 2024
- **2024 Annual Data Handbook Available:** January 2025
- **2024 Annual Data Collection Webinar:** February / March 2025
- **2024 Annual Data Collection Window:** May 15 – June 15, 2025

# Data Reporting Best Practices

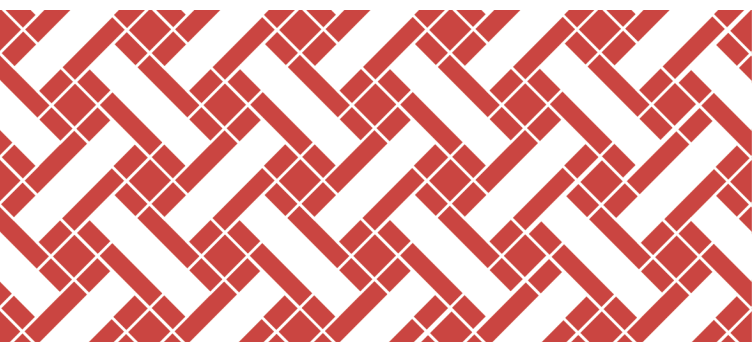


- Mark your calendars now!
- Determine who at your institution will be responsible for data reporting and ensure contacts are up to date with your SPE.
- Review the Data Reporting Handbook
- Build relationships on campus –
  - What programs have learning placements you'll need to report?
  - How are those placements being tracked?



# Institution Directions for Data Reporting: Your One-Stop Shop





# **NC-SARA Data Resources**

# NC-SARA's Data Dashboards

## Data Dashboards

NC-SARA is pleased to share new interactive data dashboards, below. These dashboards include all the data NC-SARA has been sharing publicly all along (and includes the most recent data collected from Fall 2022), but in an easier format for your access and use. Begin with the Instructions & Definitions tab, below, to learn how to use the dashboards and what the terminology means, and then feel free to move through the dashboards by using the tabs at the top. If you are seeking the previously shared downloadable data files, or if you need additional assistance with these dashboards or NC-SARA data in general, please contact: [data@nc-sara.org](mailto:data@nc-sara.org).



NC-SARA Data Dashboards  
Instructions & Definitions

# SARA Institution Cost Savings

## 2023 Estimated Renewal Savings by Region:

State	Number of SARA Member Institutions	Estimated Costs	State and NC SARA Costs	SARA Affiliation Fee	Estimated Savings
MHEC	644	\$39,197,355	\$2,912,100		\$36,285,255
NEBHE	344	\$35,764,100	\$2,683,563	\$100,000	\$32,980,538
SREB	1,067	\$73,354,450	\$5,408,000	\$160,000	\$67,786,450
WICHE	275	\$18,217,525	\$1,328,000		\$16,889,525
Grand Total	2,330	\$166,533,430	\$12,331,663	\$260,000	<b>\$153,941,768</b>

## SARA Cost Savings Calculator



The SARA Cost Savings calculator may be used by colleges and universities offering interstate distance education to:

- Estimate the costs associated with state authorization, both for SARA and non-SARA participants.
- Project changes to costs based on the addition of new distance education programs or expansion of existing programs.
- Evaluate the cost savings and the return on investment of SARA participation.

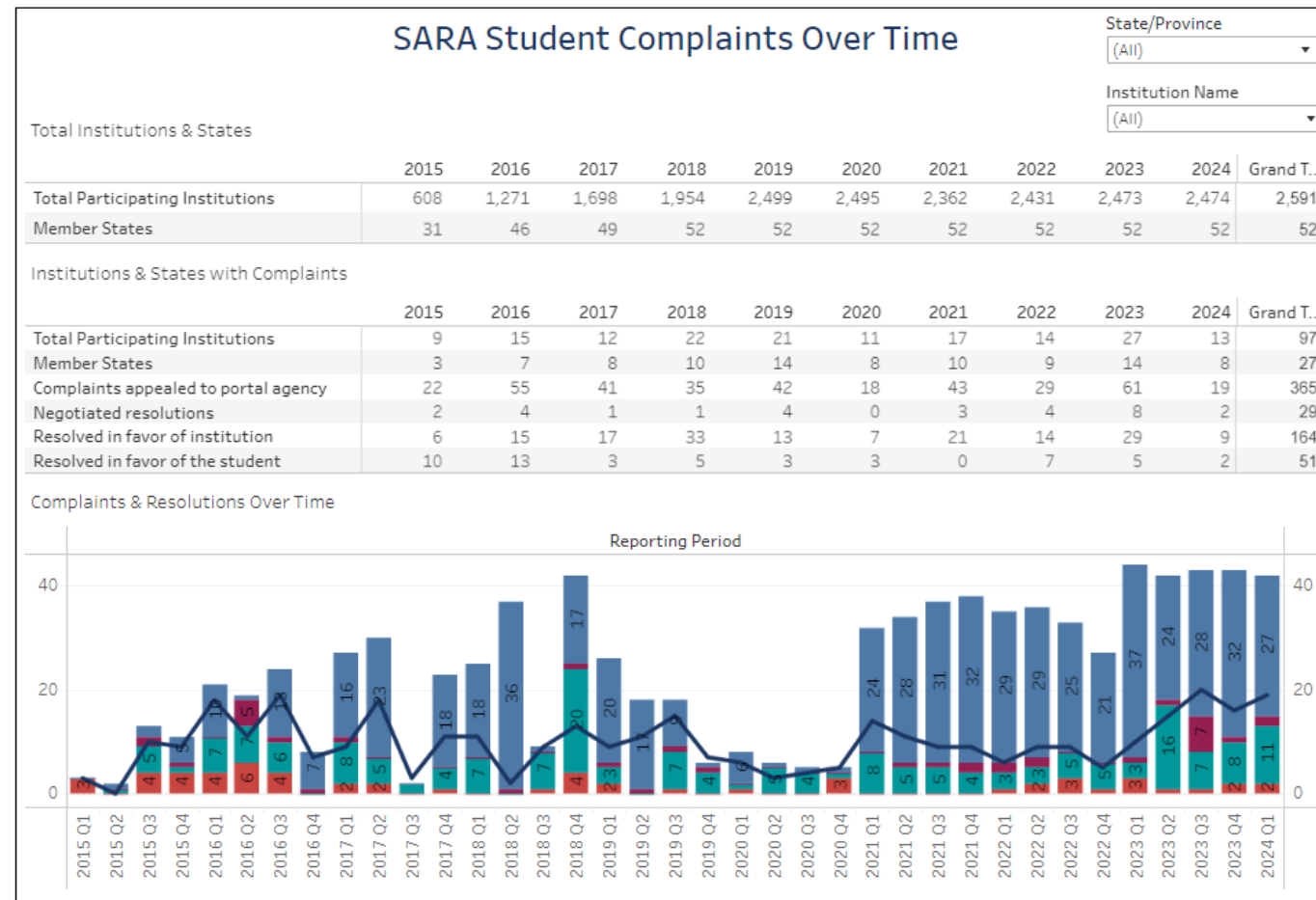
<https://nc-sara.org/sara-cost-savings-calculator>



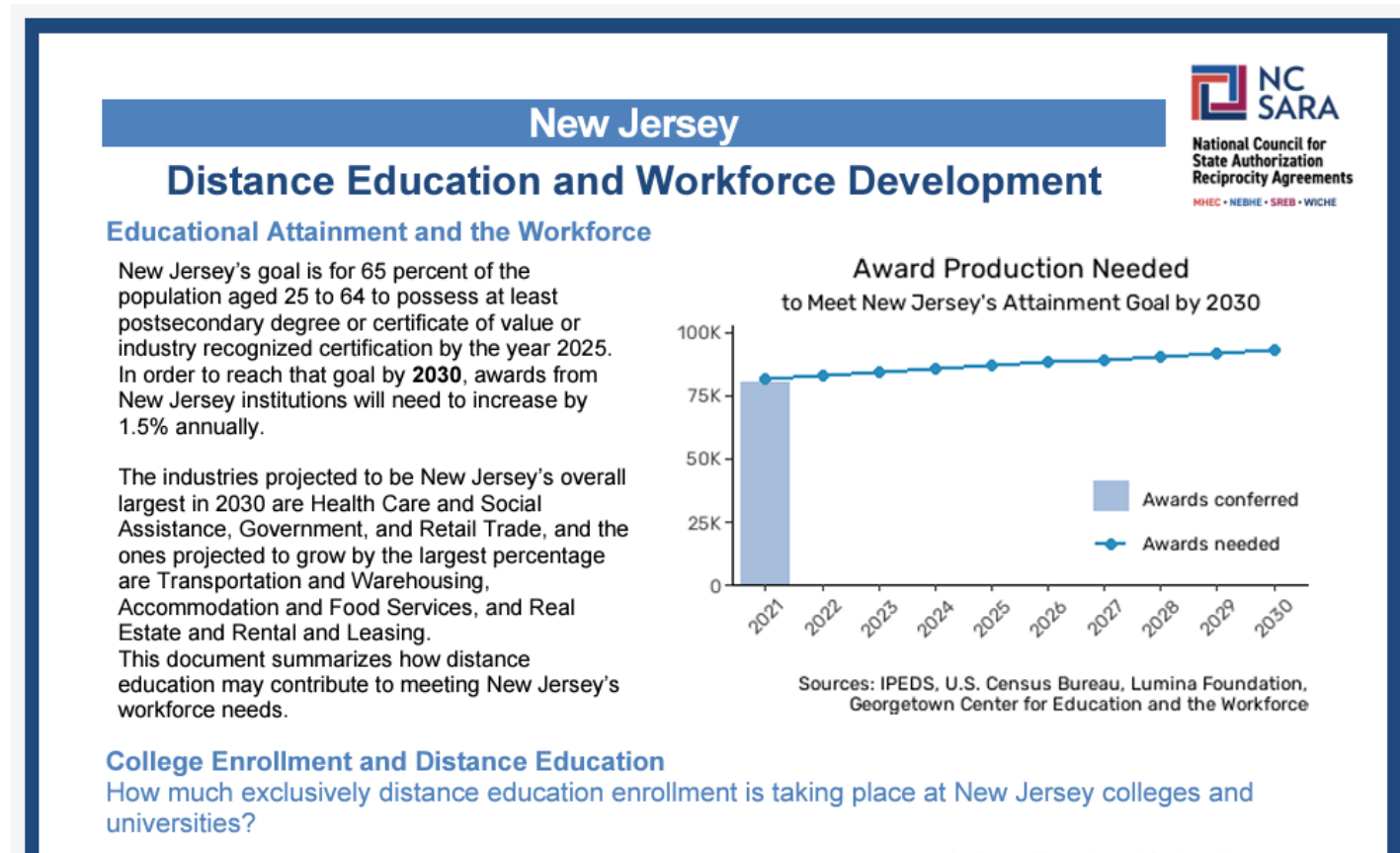
# NC-SARA's Student Complaints Dashboards

## SARA Student Complaints Dashboard

[About SARA Complaints](#)
[Complaints Over Time](#)
[Complaints by State and Year](#)
[Complaints by Reporting Period and Institution](#)



# Distance Education and Workforce Development Reports



# Questions and Discussion



# Connect with NC-SARA

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@NCSARA\_News



<https://www.linkedin.com/company/nc-sara>



# Thank You!



For questions please email:

[Info@nc-sara.org](mailto:Info@nc-sara.org)

NC-SARA Website: [www.nc-sara.org](http://www.nc-sara.org)



# Best Practices for Developing Online Programs

**Soheila Kobler – Caldwell University**

# Best Practices for Developing Online Programs

**Research  
&  
Validate  
Demand**

**Define  
Program  
Goals &  
Audience**

**Build a  
Strong  
Curriculum**

**Mix Up  
Content  
Delivery**

**Create a  
Community  
of Learners**

**Provide  
Faculty  
Training**

**Make it  
Accessible**

**Provide  
Student  
Support  
Services**

**Develop a  
Marketing  
&  
Promotion  
Plan**

**Make it  
Mobile  
Friendly**

**Track  
Learner  
Progress**

**Gather  
Feedback  
& Improve**

# THANK YOU





**FAIRLEIGH  
DICKINSON  
UNIVERSITY**

# NC- SARA Out of State Placement Data Collection Process

Sam Michalowski, Ph.D

Associate Provost for Institutional Research and Assessment

July 30, 2024

# Presentation Layout

- I. Documentation
- II. Email Template
- III. Data Collection
- IV. Data Validation
- V. Submission
- VI. Review



**FAIRLEIGH  
DICKINSON  
UNIVERSITY**

# Process Documentation

- Process Document
- This step-by-step process for the entire NC-SARA collection contains:
  - Due date & last updated date
  - eMail template for OOSLP clients
  - Notes on confusing information/ items to look out for
  - Direct links to Tableau prep file (for Distance Ed data) and Excel Template for OOSLP
  - Screen shots of joins and formulas to review
  - Examples of previous collections



# Email Template

Dear Folks,

It's that time again where we report to NC-SARA the number of Out-of-State Learning Placements (OOSLP). "What is a learning placement?" you ask? Thankfully, NC-SARA has provided a definition:

"Out-of-state learning placements are simply on-ground learning placements that occur in a state other than the home state of the institution. They include activities such as clinical rotations, student teaching, internships, and other similar activities. They are often a required part of obtaining a degree and/or license to practice a particular profession." [NC-SARA Data Reporting Handbook for Institutions \(2024\)](#): p.19.

Moreover, they provide helpful criteria for tallying out-of-state placements:

1. The placement started between January 1, 2023, and December 31, 2023. (Yes, that's *calendar* year, **not** *academic* year. Therefore, you need to dig into AY 2022-23 records, too. The placements that occurred just this spring term 2024 will be reported next year to NC-SARA.)
2. The placement occurred outside the home state of the SARA-participating institution.
3. The placement involved the physical presence of the student at the out-of-state location(s). (Virtual placements are not reported.)
4. One or more of the following is true:
  - a. The placement was an activity required for degree completion.
  - b. The placement was an activity required for professional licensure.
  - c. The placement was offered for credit.
  - d. The placement was offered for a fee.

Note that each placement is counted once. So, if an individual student has two placements, count both, not just the one student.

Buoyed by that information, please click into [<< OLE Object: Picture \(Device Independent Bitmap\) >> Out of State Placements.xlsx](#) and in the sheet labeled "2023 Placements" input out of state learning placements for calendar year 2023 (as whole numbers only) in programs under your purview **by Monday June 3rd, 2024**. Data from last year's collection in the "2022 Placements" sheet for your reference.

You can add programs and states if any are missing and update personnel if needed or where indicated with a "?". If you have none to report, please type "None to report" in appropriate cell in Column F (Status/Notes). The person entering the data should type their name in column E. Please make sure to forward this email to new colleagues for their input. Any errors in assignments are mine. Please feel free to also send corrections directly to me in a separate email if you would like.

Please let me know if you have any questions.

- General Opening
- Explanation of request
- Direct Definitions
- Helpful Criteria
- Link to OneDrive share document
- Last year's sheet for reference and qc
- Clear & highlighted due date.



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# Data Collection

- OneDrive Excel document
- Preset views, filters available for easy data entry
- Departments with Chair and Program Director
  - Rows for each program and each ‘home campus’
  - CIP codes for programs
  - Locked formulas included for summing rows and states
  - Ordering states by most popular to least



# Data Validation

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	
1	College/School	Program	Dean/Director	Chair/Program Director	Person Entering Data	Status/Not	CIP Code	Total	NY	CT	PA	MD	AZ	MA	VA	TN	CA	VT	OH	IL	NM	
2	Becton College	Criminology	Boyd	Shlosberg			45	0														
3	Becton College	Criminal Justice	Boyd	Panuccio	Michalowski	No OoS Placements	43	0														
4	ISHSTM	Hospitality BA	Niser	Gersh/Bachman			52	0														
5	ISHSTM	Hospitality BS	Niser	Gersh			52	0														
6	ISHSTM	Hospitality MHMS	Niser	Gersh			52	0														
8	ISHSTM	Sports Admin (Florham)	Niser	Lubisco	Lubisco		31	5	5													
9	ISHSTM	Sports Admin (Metro)	Niser	Kim	Lubisco		31	5	4		1											
10	Pharmacy	PharmD	Rivkin	Shtaynberg			51	15	13		2											
11	Pharmacy	MPH (Online) Pop Health in Addiction/Rec	Rivkin	Brace	Brace	Inactive concentration	51	0														
12	Pharmacy	MPH (Online) Health Policy	Rivkin	Brace	Brace	Inactive concentration	51	0														
13	Pharmacy	MPH (Online) Generalist	Rivkin	Brace	Brace	No OoS Placements	51	0														
14	Pharmacy	Physicians Asst.	Rivkin	Mandel			51	0														
15	Pharmacy	Occupational Therapy	Rivkin	Kramer/Stanford			51	0														
16	Sch. Of Education	Teaching	Spence	Spence			13	19	12	1	0	0	0	0	0	0	1	0	0	0	0	0
17	Sch. Of Nursing	Nursing (all degrees)	Rohan	Zeniak			51	18	18													
18	Sch. Of Nursing	Physical Therapy	Rohan	Marilyn R. Rubin			51	0														
19	Sch. Of Psychology	Clinical Mental Health	Freer	Wagener			42	0														
20	Sch. Of Psychology	Clinical Psychology	Freer	McGlinchey	McGlinchey		42	30	26	3	1											
21	Sch. Of Psychology	Clinical Psychopharm	Freer	Phillips			42	0														
22	Sch. Of Psychology	Forensic Psychology	Freer	Jennifer Romei			42	5	2		1											
23	Sch. Of Psychology	School Psych PsyD	Freer	Zibulsky			42	6	5	1	0	0	0	0	0	0	0	0	0	0	0	0
24	Sch. Of Psychology	School Psych MA	Freer	Zibulsky			42	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
25	Sch. Of P&GA	MAS	Woolley	Woolley			52	0														
26	Sch. Of P&GA	Public Administration	Woolley	Woolley			44	0														
27	Pharmacy	MSW (Online) Generalist	Rivkin	Clay	Clay		51	2							1		1					
28							0															
29							0															
30							0															
31							0															
32		<b>TOTAL</b>					105	85	5	5	0	0	0	0	1	0	2	0	0	0	0	



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# Data Validation

- OneDrive data source formulas can be reviewed for accuracy
- Spreadsheets held in OneDrive are used as a direct data source into Tableau Prep.
- All cleaned tables are compared to prior years submissions for quality control. If a program has fewer or too many more OOPs, a discussion with the program director occurs for accuracy and context.
- Once all data is entered, running the process annually takes minutes.
- Data can be used
  - by campus
  - University as a whole
  - for NC SARA submission
  - for grant and other ad-hoc requests



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## Submission & Review

- After all data has been collected, cleaned, and reviewed, the information is manually entered into the NC SARA portal.
- A PDF copy of the submission is saved in the shared drive.
- A post-mortem occurs to review any difficulties so that next year the IR staffer who runs the process will not run into the same issue.





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**Thank you!**  
**Discussion and Questions?**

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July 30, 2024

# Virtual Convening for New Jersey SARA Institutions

Q&A Notes

# US Department of Education Regulations & Developments in Distance Education

Cheryl Dowd, Senior Director, State Authorization Network (SAN) & Policy Innovations (WCET - WICHE)

What are the regulatory frameworks and specific measures that the Department of Education employs to oversee, monitor, and ensure the accountability of third-party providers involved in distance education programs under Title IV?

The U.S. Department of Education released guidance in 2023. That guidance has since been rescinded along with a revision of aspects of previous guidance. ED has indicated that they intend to hold an additional rulemaking and also they have indicated that there will be updated guidance. We have been hearing about updated guidance since the summer of 2023. I offer the resources below:

- [Ed Department Shakes Up OPMs and Third-Party Servicers: This Is Huge](#); WCET Frontiers; 2/22/23 (updated 3/1/23)
- [PhilOnEdTech](#)
  - [A Matter of Kind, Not Degree](#); March 3, 2023
  - [Department of Education Delays Guidance on TPS Expansion](#); February 28, 2023
  - [Lest I Understate the Issue](#); February 17, 2023
- [Education Dept. Shocks Ed-Tech Experts and Colleges With Expansion of Oversight](#); The Chronicle of Higher Education; 2/22/23 (updated 2/28/23)
- [\(GEN-23-03\) Requirements and Responsibilities for Third-Party Servicers and Institutions](#) (Updated May 16, 2023)
- [\(GEN-23-08\) Update to Third-Party Servicer Guidance in GEN-23-03](#)

# The Intersection of US Department of Education Regulations & SARA Policy

Jeannie Pauline Yockey-Fine, Senior VP and General Counsel, NC-SARA

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

Can you reflect more on the state of the international students who are enrolled in our programs in NJ?

(Levy) - International students are not included under SARA. If helpful, additional resource provided:  
[https://nc-sara.org/sites/default/files/files/2024-02/SARA\\_Quick\\_Start\\_StudentsOverseas\\_revised\\_1-15-24.pdf](https://nc-sara.org/sites/default/files/files/2024-02/SARA_Quick_Start_StudentsOverseas_revised_1-15-24.pdf)

Anyone developing a model that might bring uniformity across institutions for the student attestation?

(Yockey-Fine) - My advice is to keep it simple. Don't put too much in there. Talk to peer institutions. Talk to your office of general counsel. Keep it short at a few sentences. Cheryl Dowd and SAN-participating institutions may have some helpful tips too.

Regarding the 500 Rule, have any other guidelines been proposed by the US Department of Education regarding establishing state residency or counting individual students vs FTE when counting the total students?

Not that we know of. For purpose of looking at enrollment, look at where student is located, not where they are a resident. What they didn't/haven't talked about is how to be sure they are ensuring how those students are being recorded. Will be interesting to see how they come about establishing location numbers in each state.

If international students temporarily reside in another state would they be included in the 500 Rule total? It doesn't sound like it?

No, I don't think that's the intent. In that language, looking at distance education is related to reciprocity. Since SARA is the only national agreement related to reciprocity, it wouldn't include international students.



# The Intersection of US Department of Education Regulations & SARA Policy

*Jeannie Pauline Yockey-Fine, Senior VP and General Counsel, NC-SARA*

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

Regarding the new regulations passed by the US Department of Education (USDE) related to professional licensure. As an exclusively online, asynchronous, Master of Social Work program, we are impacted by these regulatory changes and are eager to take the necessary steps to remain in compliance. However, I have had difficulty obtaining clear guidance or examples of how other programs might be approaching these new expectations. We tentatively have a plan to have out-of-state students attest that should they choose to seek licensure post-graduation; our program satisfies the educational requirements (where appropriate) for licensure for the state in which they intend to seek employment. Additionally, we are considering having the student acknowledge that they have also reviewed and confirmed that our program meets the educational requirement on the board website independently.

It is important to note that the intent of the attestation is for the student who intends to practice in a state where the institution has determined that the program will meet the requirements. The attestation would be used in a situation where the student is currently located in a state where the institution does not meet the requirements (or has not made the determination) but the student plans to practice in a state where the institution has determined that it would meet requirements. The use of the attestation will be limited.

## **NJ SARA Data & Data Resources**

*Rachel Christeson, Director, Research & Data Analysis, NC-SARA*

Additional information on federal guidelines regarding Third Party Services?

<https://wcet.wiche.edu/frontiers/2023/02/22/ed-department-shakes-up-opms-third-party-servicers-this-is-huge/>

Additional information on NC-SARA Exclusively Distance Education Enrollment and Out-of-State learning Placement data

See the NC-SARA Dashboards: <https://nc-sara.org/data-dashboards>

### NC-SARA Educational Resources

See the SARA Learning Station: SARA Learning Station: <https://nc-sara.org/sara-learning-station>

The Office of the Secretary of Higher Education (OSHE) is the New Jersey portal agency for the State Authorization Reciprocity Agreement (SARA) and has the authority and responsibility to resolve student and other complaints made in regard to New Jersey institutions that are operating outside of New Jersey pursuant to SARA.

For a directory of SARA-participating institutions, please consult [nc-sara.org/directory](https://nc-sara.org/directory).

