National Council for State Authorization Reciprocity Agreements

State Authorization Reciprocity Agreements Manual

~~Version 20.2~~ Version 20.3 • ~~June 30~~ November 13, 2020

- Incorporates, updates and replaces previous versions of *SARA Policies and Standards* and the *SARA Manual.*
- Incorporates, updates and replaces previous versions of *SARA FAQs.*
- Includes procedures for use by States and Institutions for SARA application, renewal and payment of fees.
- Includes as appendices information about SARA's use of the U.S. Department of Education (ED) Financial Responsibility Composite Scores, C-RAC *Guidelines* Information, NC-SARA Administrative Forms

Introduction

Background

SARA – the State Authorization Reciprocity Agreement – 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.

The State Authorization Reciprocity Agreements (SARA) were developed from 2011 through 2013 and began operating in January 2014. The original regional SARA agreements developed by the country's four regional education compacts differed slightly from one another and were eventually superseded by the *Unified State Authorization Reciprocity Agreement ("Unified Agreement')* in December 2015. The *Unified Agreement* is the foundational document for the SARA initiative, establishing SARA as a nationwide endeavor. It provides a rationale for reciprocity as the basis for addressing state authorization of distance education challenges and outlines the general roles and responsibilities of the various partners involved in the work of SARA. To implement the *Unified Agreement*, NC-SARA and the regional compacts developed NC-SARA's *Policies and Standards* and its successor the *SARA Manual*, which specifies in greater detail the procedures, policy details, and guidance to institutions, regional compacts, and states required for the operation of SARA.

A key feature of SARA is its voluntary nature: States may join SARA if they wish to do so and are approved for membership in SARA by their regional compact. Likewise, if a state joins, its eligible institutions have the option of participating, but are not required to do so. As of June 1, 2019, 49 states (all but California), the District of Columbia, Puerto Rico and the U.S. Virgin Islands are members of SARA. More than ~~2,000~~ 2,100 institutions participate.

The SARA Manual

In the course of preparing the first *SARA Manual*, the 2013-2015 *Policies and Standards* and the FAQs published through February 2016 were merged and updated and their physical layout was revised. The FAQs were retitled *Explanatory Notes* and placed in appropriate sections. Additional revisions and corrections through ~~June 15~~ October 30, 2020 have been included in ~~Version 20.2~~ Version 20.3. The current version of the *SARA Manual* is the authoritative source of the policies and procedures employed to implement the *Agreement.*

~~**Version 20.2**~~ Version 20.3 Updates

Version 20.3~~2~~ of the *SARA Manual* codifies existing SARA policy as of October 30, 2020. ~~June 15, 2020~~. Future changes will follow this numbering sequence, with the last two digits of the calendar year followed by a version number. The current authoritative version of the *Manual* will always be maintained on the NC-SARA website. Readers are strongly urged to review the NC-SARA website periodically for subsequent amendments and modifications.

Version 20.3 in Section 1 modification to add a phrase regarding non-credit bearing courses to the definition of "Operate."

Version 20.3 in Section 2.6(c) modification to replace the word "it" with "the Compact" for clarity of reference.

Version 20.3 in Section 3.1(b)(6) modification to language to align with application requirements for all institutions when programs are no longer offered.

Version 20.3 in Section 3.2 change to add one additional reason that a state might put an institution on provisional status.

Version 20.3 in Section 4.4(g) modification to delete the word "issues" in the context of the section regarding mandatory arbitration.

Version 20.3 in Section 8.2(a) modification to add a phrase to specifically indicate that input on policy is expected from institutions and other key stakeholders and brought to the attention of NC-SARA.

~~Version 20.2 in Section 2.5(c) clarification on the need of review of institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5.~~

~~Version 20.2 in Section 2.5(d) clarification of language regarding to which agency or body an institution may appeal a decision regarding participation in SARA.~~

~~Version 20.2 in Section 2.5(h)(1) adjusted to align with Federal Regulations that were inadvertently left out of the *SARA Manual*.~~

~~Version 20.2 in Section 2.5(q), addition of this sentence; "States shall have a process for considering applications for provisional status."~~

~~Version 20.2 in Section 5.2 Programs leading to Professional Licensure adjusted to correlate to the Federal Regulations.~~

~~Version 20.2 in Section 5.3 Field trips and seasonal residential activity, clarification of policy with adjustment of words in Explanatory Note: SARA covers class field trips that do not involve multi-night residency.~~

~~Version 20.2 in Section 6.1(b) and (c) modified to reflect data policy and remove process information.~~

~~Version 20.2 in Section 6.2 modified to reflect data policy and remove process information.~~

Questions about SARA?

Questions from people affiliated with an Institution should go first to the Institution's SARA liaison officer, if one has been designated.

Questions from an Institution's SARA liaison staff, or, if there is no designated SARA liaison, should be directed as follows:

State-specific SARA Activities – to STATE PORTAL ENTITY[1]
- State SARA fees
- Institution application status
- Institution renewal status
- Institution renewal problems – deadlines missed and late fees
- Institution Accreditation changes
- Institution SARA status changes

SARA Policies and Procedures – to REGIONAL COMPACT[2]
- State application status
- State renewal status
- Questions about C-RAC *Guidelines*

National Reporting and SARA Oversight – to NC-SARA OFFICE[3]
- NC-SARA SARA Policies
- NC-SARA's accounting and data activity
- NC-SARA payment activity
  - Initial NC-SARA payment
  - Renewal NC-SARA payment
  - NC-SARA late fees
- NC-SARA Complaint reporting
- NC-SARA Enrollment reporting
- NC-SARA Out-of-State Learning Placement reporting
- NC-SARA Website, webcasts and presentation requests

[1] See https://www.nc-sara.org/state-portal-entity-contacts for current contact information
[2] See https://www.nc-sara.org/nc-sara-staff-and-regional-sara-directors-coordinators for current contact information
[3] See https://www.nc-sara.org/nc-sara-staff-and-regional-sara-directors-coordinators for current contact information

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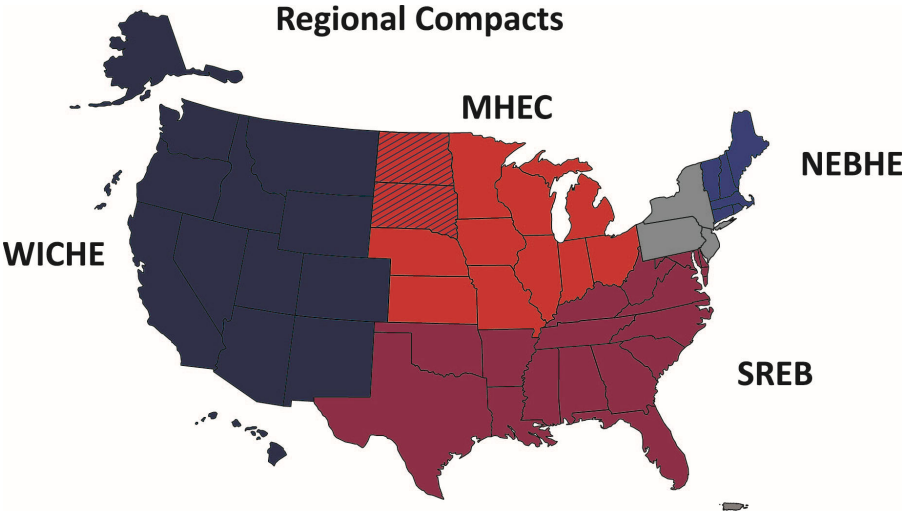
States shown in gray are not members of a regional compact but have affiliated with one for purposes of SARA. New York and New Jersey have affilitated with NEBHE. Pennsylvania, the District of Columbia, the U.S. Virgin Islands and Puerto Rico have affilitated with SREB. States shown hatched are members of both WICHE and MHEC. North Dakota operates in SARA via MHEC; South Dakota via WICHE.


Regional Compacts
MHEC
NEBHE
WICHE
SREB

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State Authorization Reciprocity Agreements

Policies

Section 1. Definitions

Note: Defined terms are generally capitalized as they occur in the *SARA Manual*.

1. "Accredited" means: holding institutional accreditation by name as a U.S.-based Institution from an Accrediting Agency.

2. "Accrediting Agency" means: an accreditor recognized by the U.S. Department of Education and whose scope of recognition, as specified by the U.S. Department of Education, includes Distance Education.

3. "Affiliate Member" is a State, territory, or district that affiliates with a Regional Compact under the terms of SARA in order to join SARA but is not a full member of that compact. The term "Member State" when used in this document includes affiliate members.

4. "Authorized" means: holding a current valid institutional Charter, license, approval, or other written document issued by a State, the federal government or a recognized Indian tribe, granting the named entity the authority to issue Degrees and operate within a State or jurisdiction as a postsecondary education Institution.

5. "Branch Campus" means: a campus or site of an educational institution that is not temporary, is located in a community beyond a reasonable commuting distance from its parent institution, and offers full programs of study, not just courses[4]. (Integrated Postsecondary Education Data System (IPEDS)). For SARA purposes, a Branch Campus that operates under the accreditation of a Main Campus is not considered a separate Institution for purposes of SARA (see section 3.1(h)(2)).

6. "Bylaws" means: those bylaws established by the National Council for SARA for its governance, or for directing or controlling its actions and conduct.

7. "Central Administrative Unit" means: the office of a SARA-eligible Institution that fulfills the administrative functions of a Main Campus for an Institution that does not offer courses face-to-face at any physical site.

8. "Charter" means: a document bearing the word Charter issued by proper governmental authority that grants to an Institution authority to operate under the laws of the issuing jurisdiction and to grant Degrees.

9. "Complaint" means: a formal assertion in writing that a person, Institution, State, agency or other organization or entity operating under the provisions of the *SARA*

[4] See https://nces.ed.gov/statprog/handbook/pdf/ipeds.pdf

Manual has violated the policies set forth in the *SARA Manual* or of laws, standards or regulations incorporated in the *SARA Manual*.

10. "Council" means: the National Council for State Authorization Reciprocity Agreements, or in short form National Council for SARA, or NC-SARA.

11. "C-RAC" means: the Council of Regional Accrediting Commissions.

12. "C-RAC *Guidelines*" refers to the *Interregional Guidelines for the Evaluation of Distance Education Programs (Online Learning)* for best practices in postsecondary distance education developed by leading practitioners of distance education and adopted by the Council of Regional Accrediting Commissions (C-RAC).

13. "Credits" means: numeric descriptors of academic work applicable toward a Degree, or academic credential, including but not limited to the Carnegie unit system.

14. "Degree" means: An award conferred at the Associate level or higher by an Institution as official recognition for the successful completion of a program of studies.

15. "Distance Education" means: instruction offered by any means where the student and faculty member are in separate physical locations. It includes, but is not limited to, online, interactive video and correspondence courses or programs.

16. "ED" means: the U.S. Department of Education.

17. "Faculty" means: a professional individual employed by or contracting with an Institution primarily to teach, conduct research or provide related professional education services.

18. "Federal Financial Responsibility Composite Score" or "Composite Score" means: a numeric score calculated by the U.S. Department of Education for non-public Institutions of higher education that participate in federal Title IV student assistance programs. See https://studentaid.ed.gov/sa/about/data-center/school/composite-scores

19. "Home State" means: a SARA-Member State where an Institution holds its Legal Domicile, Authorization and is Accredited. To operate under SARA an Institution must have a single Home State.

20. "Host State" means: a SARA-Member State in which an Institution operates under the terms of SARA*,* other than the Home State*.*

21. "Hybrid" means: an educational program or course that includes both face-to-face and Distance Education. Also known by the name "blended" and, sometimes, other terms.

22. "Institution" means: a degree-granting postsecondary entity which holds Legal Domicile and Authorization in a State, district, or U.S. territory that is a member of SARA.

23. "IPEDS" means: Integrated Postsecondary Education Data System, maintained and used by the U.S. Department of Education (ED).

24. "Legal Domicile" of an Institution for purposes of SARA eligibility means: the State in which the institution's Main Campus holds its institutional accreditation and, if applicable, its federal OPEID number. In the event that the OPEID number is assigned to a campus that is in a different-State than the main Accredited campus, the SARA committees of the affected regional compacts shall determine which is the Home State for purposes of SARA.

25. "Main Campus" means: the principal campus designated as such by the Institution's Accrediting Agency or, if the Accrediting Agency does not designate a Main Campus or designates multiple such campuses, the principal campus designated by the U.S. Department of Education through a Title IV aid agreement or, in the event that the Institution does not participate in Title IV programs, designated by the applicant Institution's Home State.

26. "Member State" means: any State, district or territory that has joined SARA.

27. "NC-SARA" means the National Council for SARA.

28. "Non-degree award" means: a formal postsecondary award that does not carry the designation of Associate Degree or higher.

29. "Non-domestic Institution" means: an out-of-state Institution operating in a Host State from a different Home State.

30. "Operate" means: activities conducted by an Institution in support of offering Distance Education degree or non-degree courses or programs, and non-credit bearing courses in a State, including but not limited to instruction, marketing, recruiting, tutoring, Supervised Field Experiences, experiential learning placements, Out-of-State Learning Placements and other student support services.

31. "Out-of-State Learning Placement" means: experiential learning placements such as, but not limited to, clinical rotations, internships or student teaching offered by SARA-participating Institutions in locations outside their Home State. For greater detail, see data reporting handbooks annually provided by NC-SARA and available at www.nc-sara.org.

32. "Physical Presence" means: a measure by which a State defines the status of an educational Institution's presence within the State. See the special section on Physical Presence herein for the SARA standard.

33. "Portal Entity" means: the State agency or other State body designated by each SARA Member State to carry out SARA responsibilities for the state and to serve as the interstate point of contact for SARA questions, Complaints and other communications.

34. "Professional Licensure" or "Licensure" means: A process of State or other governmental entities that establishes standards of practice and gives legal permission to practice a profession by providing licenses or certifications to individuals who meet those standards.

35. "Provisional Admission" or "Provisional Renewal" means: conditional approval by a State Portal Entity of an Institution's participation in SARA that carries additional monitoring conditions of that Institution by its Home State. See Sections 3.2 and 3.3 herein.

36. "Provisional Status" means: the SARA status of an Institution provided Provisional Admission or Provisional Renewal by its Home State.

37. "Regional Compact" means: the New England Board of Higher Education (NEBHE), Midwestern Higher Education Compact (MHEC), Southern Regional Education Board (SREB) or Western Interstate Commission for Higher Education (WICHE).

38. "Rule" means: a written statement promulgated by NC-SARA that is of general applicability; implements, interprets or prescribes a policy of SARA or provides an organizational, procedural, or other requirement of NC-SARA, including policies contained in the *SARA Manual.*

39. "SARA" means: State Authorization Reciprocity Agreements.

40. "SARA Approval" means: a written statement by an Institution's Home State that the Institution meets the minimum requirements to participate in SARA.

41. "*SARA Manual*" means: the most current version of a document of that name, containing information about the operation and policies of SARA, as maintained on NC-SARA's website at www.nc-sara.org.

42. "State" means: a State, commonwealth, organized territory or district (District of Columbia) of the United States.

43. "Supervised Field Experience" means: a student learning experience, occurring in a Host State, comprised primarily of the practical application of previously studied theories and skills, under the oversight of a supervisor, mentor, faculty member or other qualified professional who has a direct or indirect reporting responsibility to the Institution where the student is enrolled, whether or not credit is granted. The Supervised Field Experience is part of a program of study offered by the enrolling SARA Institution. Examples include practica, student teaching, clinical placements or internships. Independent off-campus study by individual students not engaged in a Supervised Field Experience is exempt from requirements of SARA and does not constitute a Physical Presence of a postsecondary Institution in a SARA Member State.

44. "*Unified Agreement*" means: The *Unified State Authorization Reciprocity Agreement,* a foundational document, adopted by the four regional education compacts (NEBHE, MHEC, SREB and WICHE) and NC-SARA.

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Section 2. States and Membership

2.1 Eligibility for SARA membership

a. The State must be a member of one of the four interstate Regional Compacts that administer SARA or must have concluded an affiliation agreement with such a compact covering SARA activity. The District of Columbia and U.S. Territories are also eligible to join SARA using the same methods as States.

b. The State agency or entity responsible for joining SARA must have the legal authority under State law to enter into an interstate agreement that covers all of the elements of SARA.

c. A State that joins SARA as an Affiliate under the terms of the *SARA Manual* shall operate in the same manner as a Member State except as provided in the *SARA Manual*.

2.2 Application

a. States apply for SARA membership through the uniform SARA State application process, demonstrating to the satisfaction of their Regional Compact that they meet the policies established in the *SARA Manual* for state membership in SARA.

b. By July 1, 2020, each Regional Compact shall develop and implement a means to hear and themselves resolve appeals from States for which the Compact denies membership or renewal of membership in SARA. During any such appeal the State's status as a SARA Member (or non-Member) State remains unchanged.

2.3 Member withdrawal

a. A Member State may withdraw from SARA by providing 90 days written notice from the State's Portal Entity to its Regional Compact and the appropriate regional SARA steering committee.

b. Any Institution operating under SARA and domiciled in and authorized for SARA participation by a withdrawing State may continue to benefit from SARA participation until the conclusion of its current academic term or 90 days after the date of receipt of notice of withdrawal, whichever is later, but not to exceed six months from the date the notice of State withdrawal was received by the Regional Compact.

c. In the event that a State withdraws from SARA, the State Portal Entity shall notify all SARA participant Institutions in that State of the State's changed status.

2.4 Member removal

A Member State may be removed from SARA membership by its Regional Compact if the State has been determined by the Regional Compact to have ceased to abide by the requirements of SARA. The effect of removal on students and institutions will follow the same policies as set forth for Member withdrawal in the *SARA Manual*, subsection 2.3 above.

2.5 Functional responsibilities of SARA States

a. The State accepts institutional accreditation by name as a U.S.-based Institution from an accreditor recognized by the U.S. Department of Education and whose scope of recognition, as specified by the Department, includes Distance Education. (See https://www2.ed.gov/admins/finaid/accred/accreditation_pg10.html)

b. The State considers applications from degree-granting Institutions of all sectors (i.e., public, independent not-for-profit and independent for-profit) on the same basis regardless of control or structure and approves Institutions that meet institutional eligibility policies set forth in the *SARA Manual* and agree to SARA processes and commitments without differentiating by institutional sector or structure.

EXPLANATORY NOTES

N1 - Can a SARA State Portal Entity (SPE) require a SARA applicant Institution to provide additional evidence that it will meet policies for operating under SARA before allowing it to participate in SARA?

No. A state must accept an institution's self-certification that it will meet the policies set forth in the *SARA Manual* and commitments contained in the institutional application to participate in SARA once it is allowed to participate. However, as soon as an institution is accepted into SARA, the State Portal Entity has a right to evaluate whether the institution in its work through SARA meets the C-RAC *Guidelines* or other SARA requirements and must investigate any claims that the Institution does not meet these requirements. Under certain conditions, a State may approve an Institution's participation in SARA on a Provisional basis. See 3.2 and 3.3 below.

c. For independent Institutions, the State accepts an institutional federal Financial Responsibility Composite Score of 1.5 as indicative of sufficient minimum financial stability to qualify for participation in SARA. For Institutions with a Composite Score between 1.0 and 1.5, the State shall consider additional information regarding financial stability provided by the institution. The State may, at its discretion, determine if there is sufficient evidence of financial stability to justify the institution's participation in SARA. The State shall not permit an Institution with a Composite Score below 1.0 to participate in SARA. For Institutions owned or controlled by another entity (i.e., a parent entity), the relevant Composite Score will be the Composite Score of the parent entity, in accord with current U.S. Department of Education (ED) practice. An Institution's financial status must be evaluated using the most recent Composite Score provided in writing by the Department of Education, whether published online or provided in written form to the Institution by a responsible Department of Education official. SARA States are to monitor the U.S. Department of Education's periodic publication of Composite Scores, review the scores assigned to the institutions they have approved to participate in SARA, determine whether those scores meet SARA requirements, and within 90 days of notification take appropriate action regarding the SARA participation of those institutions. Implementation date of January 1, 2021.

In the event that an Institution does not participate in federal Title IV financial aid programs and therefore has no ED-calculated Composite Score for Title IV purposes, the State must calculate, or have calculated by a certified, independent accountant acceptable to the State, a comparable score based on the Institution's most recent audited financial statements and using the methodology prescribed by the U.S. Department of Education (see Proprietary: https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=244c69ba71362343458e9923fa9c63f3&mc=true&r=APPENDIX&n=ap34.3.668_1176.a and Private non-profit: https://www.ecfr.gov/cgi-bin/retrieveECFR?gp=&SID=244c69ba71362343458e9923fa9c63f3&mc=true&r=APPENDIX&n=ap34.3.668_1176.b). Alternately, the State may require Institutions lacking a Composite Score calculated by the U.S. Department of Education to provide such calculation either as a part of the Institution's most recent audited financial statements or as separately calculated and certified by a certified, independent accountant acceptable to the State. The State will then use such calculated scores to determine whether the Institution meets SARA eligibility requirements regarding financial responsibility. In either case, the State is to use the Department-provided calculation methodology that matches the Institution's sector, whether for-profit or not-for-profit.

EXPLANATORY NOTES

N1 - Can a State require a higher federal Financial Responsibility Composite Score for initial or continuing authorization of its own Institutions?

Yes. SARA policy does not preclude a State from requiring a higher minimum Composite Score for all or certain types of nonpublic Institutions operating in the State as their Home State. In that case, such Institutions operating from that State under SARA would have to meet a higher required score, not because of SARA policies, but because of the Home State's laws or rules applicable to all such institutions.

N2 - Are States obligated to use the published federal Financial Responsibility Composite Score when considering an Institution's eligibility for SARA?

Not always. A State can, if desired, require or allow an applicant Institution to provide the most recent ED-calculated federal score, which may in some cases be more recent than what has been published online or in print by ED. This would be a recent Financial Responsibility Composite Score provided in writing by the Department of Education in letter form to the Institution by a responsible Department of Education official.

d. By January 1, 2021 SARA Member States shall develop and implement a means to hear and internally resolve appeals from Institutions for which they deny initial participation or renewal of participation in SARA. During any such appeal the Institution's status as a SARA participating (or non-participating) Institution remains unchanged. States must ensure that the agency designated with the responsibility for hearing appeals ensures consistent application of its process to all institutions.

e. The State has a clearly articulated comprehensive State process for consumer protection in regard to SARA activities, both with respect to initial institutional approval and on-going oversight, including the resolution of consumer Complaints in all postsecondary sectors.

f. The problem-solving or SARA-related Complaint resolution methods of SARA Member States need not be identical for all Institutions, as different boards or agencies may be involved depending on the nature of the problem or Complaint, but the authority of the SARA Member State to resolve Complaints or problems related to SARA activity must be substantially the same for all Institutions.

h. The state has clear and well-documented policies and practices for addressing catastrophic events, as follows:

1. The state may request assistance from the institution's accreditor as the accreditor applies its standards under 34 CFR §602.24(c) and (d) of federal requirements for catastrophic events.
2. The state has laws, regulations, policies and/or processes in place to deal with the unanticipated closure of an institution and will make every reasonable effort to assure that students receive the services for which they have paid or reasonable financial compensation for those not received. Such laws, regulations, policies and/or processes may include tuition assurance funds, surety bonds, teach-out provisions or other practices deemed sufficient to protect consumers.
3. The state requires institutions to have adequate disaster recovery plans, particularly with respect to the protection of student records, or the state provides such a plan.
4. A SARA member state agrees to apply its policies and practices for catastrophic events consistently and equally within each sector (public, independent not-for-profit, and independent for-profit) to residents of any state.

i. The State designates a State "Portal Entity" to coordinate SARA matters for the State and provide a principal point of contact for resolution of student Complaints and other issues arising at participating Institutions. The State Portal Entity need not have a governance role with any Institution and may work with entities that do have such a role. The State Portal Entity has the following duties:

1. Serve as the point of contact for all other SARA member States and their agencies for questions about SARA within its State;
2. Serve as initial point of contact for Institutions within its State that have questions about SARA;
3. Determine whether an Institution in its State is eligible for participation in SARA;
4. Serve as the initial contact point for Complaints about any Institutions in the State that are operating under SARA and lead any investigations regarding whether an Institution is in compliance with SARA policies;
5. Serve as the final decision-maker on SARA-related Complaints lodged against the state's SARA institutions; and
6. Collect and manage any in-state fees[5] assessed on participating Institutions to financially support State oversight of SARA.

j. The State agrees that it will work cooperatively with other SARA States, Regional Compacts and NC-SARA to enable success of the SARA initiative. The State will follow up on requests for information or investigation from other SARA Member States or any SARA regional or national office, providing such data or reports as are required.

[5] Member States do not collect the fees paid by Institutions directly to NC-SARA.

k. 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.

l. Except as precluded by Section 2.5(k) above, SARA member States continue to have authority to enforce all their general-purpose laws[6] against Non-domestic, out-of-state Institutions (including SARA participating institutions) providing Distance Education in the State, including, but not limited to, those laws related to consumer protection and fraudulent activities.

m. Because some States may not join SARA, some Institutions in SARA states may choose not to operate under SARA, and SARA does not cover offerings by non-U.S. providers, SARA States retain their own oversight rules covering Distance Education offerings of non-SARA institutions.

n. SARA Member States retain jurisdiction over the entirety of academic programs that are offered partly at a physical site in the State and partly by Distance Education. This is necessary to allow States to properly oversee complete programs, not just parts of programs.

o. If a separate campus that operates under the accreditation of a Main Campus establishes Physical Presence (under SARA provisions) in a SARA state, the Host State may regulate the online/Distance Education activities of the Institution, as well as activities of the separate campus. The separate campus is not considered a separate Institution for purposes of SARA.

EXPLANATORY NOTE

N1 - Does SARA completely replace state authorization?

No. Any Degree-granting Institution in the U.S. must be Authorized to issue Degrees by a government. This is typically a State, but it can also be Congress or an Indian tribe. SARA pertains to approval of Distance Education courses and programs offered across State lines by Institutions that already have Degree authorization in at least one State. What SARA does is centralize the authorization process for each SARA Institution's Distance Education authorization in a single State called the Institution's "Home State." Institutions in a SARA State therefore only need their Home State's authorization to offer Distance Education to any other SARA Member State, (with certain limitations, specified herein).

p. The State agrees to require each SARA applicant Institution to apply for Home State approval using the standard SARA institutional application, including the Institution's agreement to operate under the C-RAC *Guidelines*. (See Appendix B)

[6] A "general-purpose law" is one that is not limited to entities delivering postsecondary education in the state but applies to a larger category of entities is one that applies to all entities doing business of any type in the State, not just Institutions of higher education.

EXPLANATORY NOTE

N1 - If the State requires a non-public Institution located within the State to accept State entity oversight for purposes of interstate activity under SARA, does the State also have authority over that college's in-state activities?

No. Such oversight only applies to SARA-related matters, and SARA only applies to interstate Distance Education activity by Institutions that choose to participate and are approved to do so by their Home State. Participation in SARA by any Institution is voluntary.

q. States shall have a process for considering applications for Provisional Status. A State, at its discretion, may approve an Institution to participate in SARA on Provisional Status (See Subsections 3.2 and 3.3 below).

2.6 State renewal

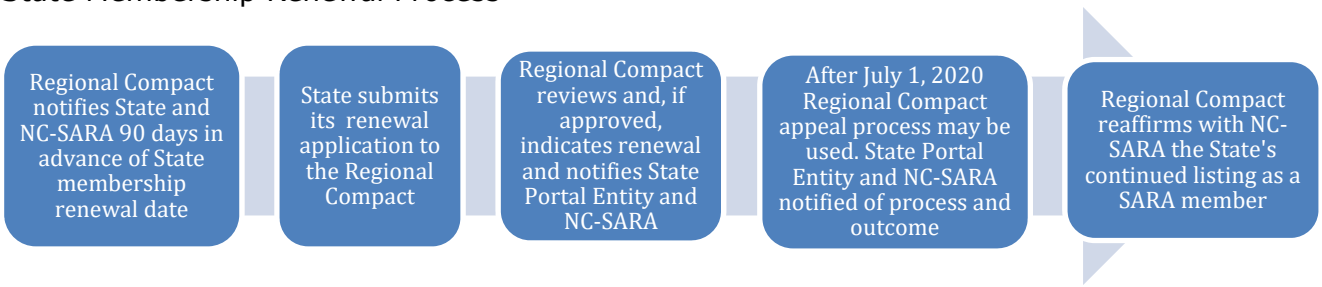
a. Eligibility. States previously approved by their Regional Compact for SARA membership are eligible for renewal every two years.

b. Process. Regional Compacts shall review State membership renewal applications to confirm the State's past compliance with SARA policies, including its reporting of and responsiveness to student Complaints, data reporting requirements and affirm its willingness and ability for continued compliance. The following steps provide general guidelines for the State renewal process.

1. Regional Compacts provide to State Portal Entity staff notice of an upcoming State renewal no later than 90 days prior to the State membership renewal date. NC-SARA is copied on the State membership renewal notice.
2. The head of the State's SARA Portal Entity submits the State's renewal application to its Regional Compact within 45 days of receipt of such notice.
3. The Regional Compact shall review the application and approve, return for additional data or information, or deny the application no later than 45 days after receipt.
4. Upon approval of a State's renewal application, the Regional Compact shall immediately notify NC-SARA to reaffirm the State's continued listing on the NC-SARA website as a SARA Member State.

c. By July 1, 2020, each Regional Compact shall develop and implement a means to hear and ~~themselves~~ itself resolve appeals from States for which ~~it~~ the compact denies membership or renewal of membership in SARA. During any such appeal the State's status as a SARA Member (or non-Member) State remains unchanged.

State Membership Renewal Process



Section 3. Institutions and Participation

3.1 Eligibility

a. An eligible Institution may apply to its Home State to participate in SARA if that State is a SARA Member State.

b. In order to be eligible to participate in SARA, an Institution must:

1. Be a degree-granting Institution, awarding associate Degrees or higher;
2. Be physically located in a SARA Member State;
3. Hold proper Authorization from Congress, a U.S. State, territory or district, or a federally recognized Indian tribe to award Degrees; and
4. Hold accreditation as a single entity from an Accrediting Agency recognized by the U.S. Department of Education and whose scope of recognition, as specified by the U.S. Department of Education, includes Distance Education. (See https://www2.ed.gov/admins/finaid/accred/accreditation_pg10.html)
5. If a non-public Institution, meet the institutional financial responsibility requirements for SARA participation set forth in Section 2.5(c and d) herein.
6. Agree that, in cases where the institution cannot fully deliver the instruction for which a student has contracted, it will provide a reasonable alternative for delivering the instruction or reasonable financial compensation for the education the student did not receive.

EXPLANATORY NOTES

N1 - What type of accreditation must an institution hold to participate in SARA?

SARA Institutions must be Accredited by an Accrediting Agency "recognized" by the U.S. Department of Education and whose scope of recognition, as specified by the Department, includes Distance Education. The Department recognizes accrediting bodies for different purposes and within different categories, and some of those purposes and categories overlap. To meet the accreditation requirement for participation in SARA, an Institution must hold institutional accreditation from an accrediting body:

1) Listed by the Department in one of two categories listed on the Department's website at https://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html#RegionalInstitutional (the two specific categories are *Regional and National Institutional Accrediting Agencies*, *and Specialized Accrediting Agencies*); and
2) Whose scope of recognition includes Distance Education (as listed after the name of the accrediting body on the website).

c. An Institution must be Accredited by a recognized Accrediting Agency (not "pre-accredited," or in "candidacy") to qualify for participation in SARA.

d. Participation by Tribal Colleges

1. Institutions otherwise eligible to participate in SARA that are chartered and/or controlled by federally recognized Indian tribal governments may participate in SARA

by signing an agreement to do so with the appropriate SARA Portal Entity of the State where the Main Campus of the Institution is located.

e. Participation by federally owned or federally chartered Institutions

1. For purposes of SARA, an Institution that is owned by the federal government, such as one of the military academies, has the authority to offer courses to residents of any State. SARA will not be involved in regulating such Institutions.
2. An Institution that is chartered by the federal government has operational authority set forth in its Charter. If the Charter expressly grants authority to issue Degrees in multiple jurisdictions, SARA will treat the institution as not requiring SARA participation to operate free of state authorization requirements in those jurisdictions.
3. If the Charter does not specify authority to operate in multiple jurisdictions, SARA will treat federally chartered institutions as falling under the oversight of the government of the District of Columbia for SARA purposes unless the Institution's charter includes provisions to the contrary or the Institution's main accredited campus is in another jurisdiction.

f. Establishment and responsibilities of the Home State.

1. The Home State is the State where the Institution's Main Campus or Central Administrative Unit holds its principal Legal Domicile as a Degree-granting Institution, its authorization and its accreditation.
2. For Institutions with campuses in more than one State, in the event that an Institution disagrees with a SARA Member State's determination of its Home State, if the States under consideration are in the same region, the Regional Compact will make the final determination. If the States in question are in different Regional Compacts and the Compacts disagree on the Home State assignment, NC-SARA will make a final determination in consultation with the affected Regional Compacts.
3. The Home State is responsible for all interstate Distance Education activity that the institution offers under the auspices of SARA. Whether the activity originates in the Home State is irrelevant. The Home State determines whether a given activity meets SARA requirements. It may consult its Regional Compact or other SARA staff in making such decisions.
4. The Home State is not responsible for SARA Institutions' on-the-ground activities in other States or educational activities by SARA Institutions that are not offered under SARA policies.

g. Institutions moving to a new Home State.

1. If a SARA Institution changes its Home State from one SARA State to another, to continue participation in SARA it must apply to and be approved for SARA participation by the SARA Portal Entity in the new State.
2. It is the responsibility of the Institution to work with the SARA Portal Entities in both States to avoid a lapse in its status as a SARA participant. Each affected State Portal Entity shall assist the Institution to ensure that no currently enrolled students are adversely affected by the transition.

3. For SARA purposes only, the effective date of the Institution's change of Home State shall be the effective date of state authorization specified by the new State.
4. The annual participation fee the Institution pays to NC-SARA shall not be affected by the move. The Institution, however, will pay whatever fees the SARA Portal Entity in its new Home State requires of its SARA participant Institutions.
5. The NC-SARA office will work with the Institution, the States and the Regional Compact(s) to coordinate recordkeeping.

h. Systems and institutional groups

1. Corporate "parents." The location of a corporate office is irrelevant for SARA purposes as long as it is in the United States or its recognized territories or districts. The corporate "parent" of a Degree-granting Institution is not eligible to participate in SARA unless it is a Degree-granting Institution in its own right.

EXPLANATORY NOTES

N1 **-** One corporate parent might own several Degree-granting Institutions that are domiciled in several different States, some of which participate in SARA and some of which do not; therefore, the Institutions, not the parents, are the SARA participants.

2. Systems. Institutions in a State system, or nonpublic Institutions with common ownership but which operate separately with separate accreditation, must apply separately to SARA. Any independently Accredited entity must apply to SARA separately. A Branch Campus that operates under the accreditation of a Main Campus is not considered a separate Institution for purposes of SARA.

EXPLANATORY NOTES

N1 **–** As a general rule if an Institution holds its own accreditation and transcripts courses and Degrees in its own name, it must apply separately to participate in SARA. SARA recognizes that systems and other multi-campus entities are quite varied. There is some modest flexibility in the mechanics of processing SARA fees from systems and groups. Contact the Regional Compact's SARA staff with further questions and details about multiple Institutions joining SARA.

i. To be eligible for delivery under SARA policies, Distance Education must be offered under the oversight authority of a SARA Member State from a facility located in a SARA member state.

j. Ownership or governance by a U.S. Institution of an Institution located outside the United States or its territories does not qualify the out-of-country Institution to operate under SARA.

k. An Institution approved by its Home State to operate under SARA policies may not state or claim that it is "approved" by the authorization entities of any other SARA state in which it enrolls or seeks to enroll students. An institution operating under SARA may only state that it is operating in a Host State under the terms and provisions of SARA.

3.2 Provisional admission or renewal of an Institution

a. A State, at its discretion, may approve an Institution applying for initial or renewal participation in SARA to participate on Provisional Status in any of the following circumstances:

   1. The Institution is on provisional or probationary status or the equivalent with its institutional Accrediting Agency;
   2. The Institution is currently required by the U.S. Department of Education to post a letter of credit or is under a cash management agreement with the U.S. Department of Education (such institutions must still have a Federal Financial Responsibility Composite Score of 1.0 or above);
   3. The Institution has a Federal Financial Responsibility Composite Score between 1.0 and 1.5;
   4. The Institution is the subject of a publicly announced investigation by a government agency, and the investigation is related to the institution's academic quality, financial stability or student consumer protection;
   5. The Institution is the subject of a current investigation by its Home State related to the institution's academic quality, financial stability or student consumer protection;
   6. A third-party action such as a private lawsuit or news story does not by itself establish a government investigation. If such a third-party event results in an investigation by a government agency as set forth in subsections 3 and 4 above, these subsections become applicable. Lawsuits by government entities are considered to have resulted from a governmental investigation and can be the basis of a determination of Provisional Status.
   7. Lack of compliance with SARA policies related to data reporting.
   8. The Institution has a change of ownership as determined by the Home State.
   9. The participating institution is in violation of, or noncompliance with SARA policies.

b. States shall notify their Regional Compact and NC-SARA of their admission or renewal of an Institution on Provisional Status. NC-SARA will provide indication of the institution's Provisional Status on the NC-SARA website. The NC-SARA Institution Provisional Participation Form (AF3) should be completed and submitted to NC-SARA by the Home State Portal Entity. (See Appendix C)

c. An Institution admitted to or renewed for SARA participation on Provisional Status is subject to such additional oversight measures as the Home State considers necessary for purposes of ensuring SARA requirements are met regarding program quality, financial stability and consumer protection, including limits on its distance learning enrollments if deemed necessary and appropriate by the Home State. The Home State shall report to its regional SARA steering committee and NC-SARA at least once a year on the status of any Institution(s) admitted or renewed on Provisional Status.

d. An Institution admitted to or renewed for SARA participation on Provisional Status shall remain in that status for a period not to exceed one year unless all of the following are true:

1. a Home State or an external entity whose action has resulted in the Institution's Provisional Status (see 3.2(a)) has not within the one-year period taken action to resolve the Institution's status with that entity;
2. The SARA Portal Entity recommends extension;
3. the President of the relevant Regional Compact approves extension; and
4. to support comparable application of this policy across regions, the President of NC-SARA approves such action.

e. In no event shall such an extension of Provisional Status exceed one additional year.

f. In the event that its Home State determines that an Institution on SARA Provisional Status is no longer subject to any of the circumstances set forth in Section 3.2(a), its Home State shall remove the Institution's designation of Provisional Status and shall notify the Regional Compact and NC-SARA. NC-SARA shall then remove that designation on NC-SARA's online listing of SARA-participating Institutions.

g. If an Institution on SARA Provisional Status is found by its Home State to not meet the requirements of SARA, the Home State shall disallow any further enrollments under SARA, shall notify its Regional Compact and NC-SARA, and:

    1. Remove the institution from SARA participation, or
    2. Allow the institution a period of time not to exceed 12 months in which to come into compliance with *SARA* policies under state supervision. Only one such time period is allowed in any three-year period.

h. If an Institution on SARA Provisional Status is found by its Home State not to meet the requirements of SARA, the Home State shall allow any students enrolled in the Institution under SARA policies at the time of the finding of noncompliance a period of six months in which to conclude their work at the Institution under SARA provisions, irrespective of the Institution's SARA status.

3.3. Provisional status of an institution between renewal periods

A State, at its discretion, may place an Institution on Provisional Status at any time if the Institution is subject to any conditions set forth in Section 3.2(a) or if the Institution's Federal Financial Composite Score falls between 1.0 and 1.5. (An Institution with a score below 1.0 is not eligible for SARA participation.) An Institution placed on Provisional Status by its Home State shall remain in that status until its next renewal date, at which time the State will determine if the institution will be removed from SARA participation, renewed for Provisional SARA participation for no longer than one year, (unless conditions of Section 3.2(d) are met), or renewed without such Provisional designation.

3.4 SARA eligibility following change of ownership.

a. A change of ownership will be determined by the Home State.

    1. A SARA participating institution will remain under SARA until the required approvals are completed by all agencies, including the institution's accreditor. The institution

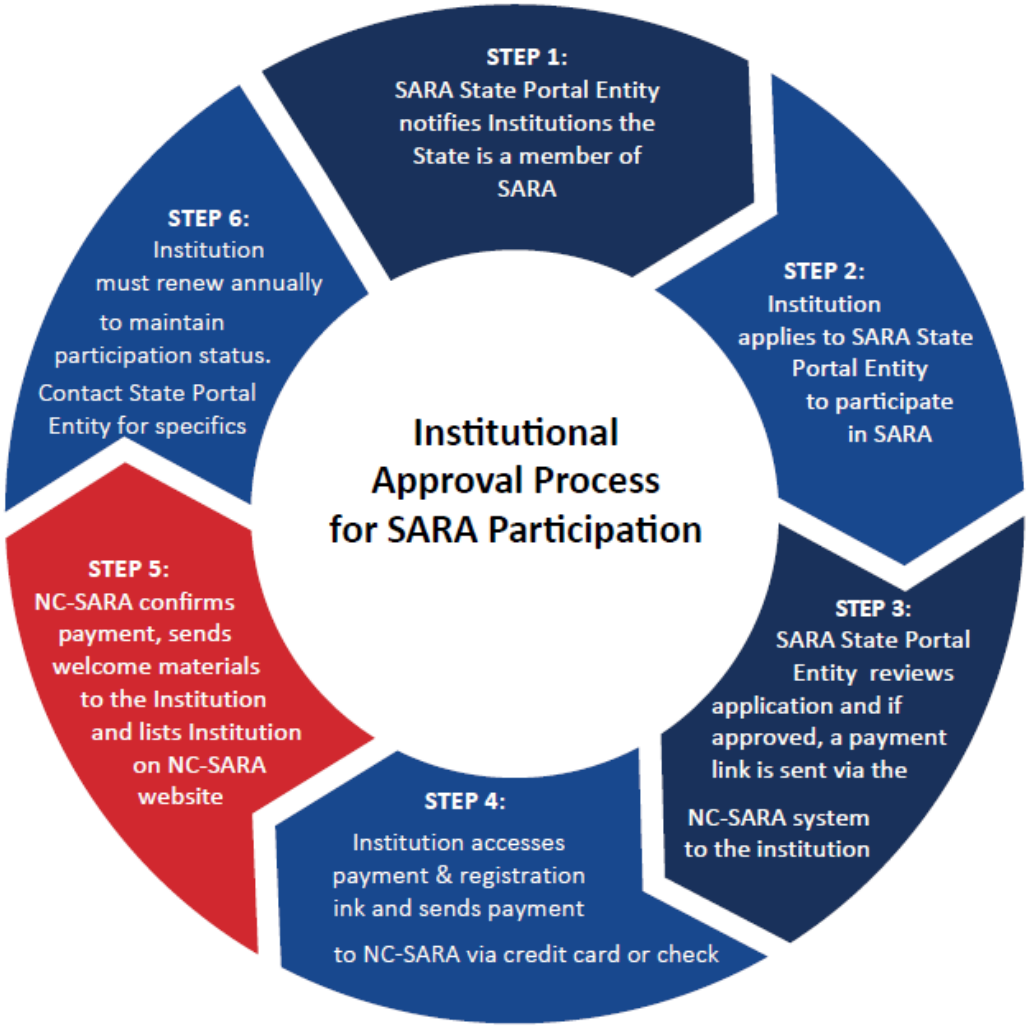
may become provisionally approved by the home state portal entity as of the effective date of change of ownership until a new Federal Financial Responsibility Composite Score is established. A new application for institutional approval may be required. This process will apply to all SARA participating institutions owned by a corporate parent.

i. Title IV Institutions
Submit to the Home State a copy of the same day balance sheet showing the school's financial position on the day the ownership changed, prepared in accordance with Generally Accepted Accounting Principles (GAAP) and audited in accordance with Generally Accepted Government Auditing Standards (GAGAS) as required by ED to extend the Temporary Program Participation Agreement (PPA).

ii. Non-Title IV Institutions
Submit to the Home State a same day balance sheet showing the school's financial position on the day the ownership changed prepared in accordance with GAAP by an independent CPA.

2. Newly acquired institutions seeking SARA participation.
   i. If the newly acquired institution has not participated in SARA, the institution will apply once it has its new Federal Financial Responsibility Composite Score. A non-Title IV Institution shall follow the requirements outlined in the SARA *Manual* at section 2.5(d).

3.5. Institution Application Process (Logo update only)



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Note: After January 1, 2021 SARA State Portal Entity appeal process may be used. The Institution and NC-SARA must be notified of process and outcome

3.6 Participation Fees

Institutions may have to pay two fees to participate in SARA.

a. NC-SARA Fee (required of all Institutions)

1. This annual fee[7] is based on an Institution's total full-time equivalent (FTE) enrollment as submitted to the U.S. Department of Education's Integrated Postsecondary Education Data System (IPEDS) each fall as 12-month FTE enrollment. The NC-SARA fee is assessed as follows:

Enrolled FTE	Annual Fee
Under 2,500	$2,000
2,500-9,999	$4,000
10,000 or more	$6,000

2. Institutions not reporting to IPEDS would use the FTE count for the same time period.
3. An Institution participating in SARA for the first time that has not paid its NC-SARA fee within 60 days of its State's approval of the Institution's application to participate in SARA must submit a new application to its Home State Portal Entity.
4. Institutions indicate and State Portal Entity staff will verify enrollments through IPEDS or similar resources.
5. An Institution that withdraws from SARA receives no fee refund from NC-SARA.

b. A separate State fee may be required of SARA-participating Institutions whose Home State has established a fee to cover costs associated with SARA oversight.

1. States may use any fee structure that is rationally related to the State's actual or projected workload.
2. A SARA Member State may fund its work to investigate and resolve Complaints arising from the operations of the Institutions it approves to participate in SARA in any reasonable way permitted by law. A SARA Member State may charge its own SARA-participating Institutions a SARA participation fee that reflects the State's estimated costs to manage its responsibilities under SARA, including support for carrying out such investigations. SARA policies do not preclude a billable costs approach to funding such work.
3. A SARA Member State may increase its bonding or reserve fund requirements on Institutions for which it is the Home State in order to cover the potentially greater risk owing to the State's expanded responsibility for the Institution's multistate Distance Education offerings.

[7] Fees are reconsidered by the National Council for SARA every two years. The fees set forth above are valid through June, 2022.

3.7. Renewals

a. Eligibility. Institutions previously approved by their Home State Portal Entity as SARA participating Institutions are eligible for annual renewal on a schedule established by NC-SARA and communicated to participating Institutions and their State Portal Entities multiple times via email beginning 90 days before the Institution's renewal date. During the review process, State Portal Entity staff are expected to pay particular attention to Institutions with Provisional Status (see Subsections 3.2 and 3.3).

b. Process. State Portal Entity staff shall review institutional renewal applications to confirm the Institution's past compliance with SARA policies and affirm the Institution's willingness and ability for continued future compliance. The following steps provide general guidelines that will govern the renewal process.

1. NC-SARA provides to the Institution's SARA contacts an email notice of upcoming renewal no later than 90 days prior to the institutional renewal date (participation end date), which is the date that fees are due to NC-SARA. The State Portal Entity is notified of the institutional renewal notice. Additional notices, if needed, are emailed 60, 30 and seven days prior to the renewal date.
2. The chief executive officer or chief academic officer of the Institution signs and submits the renewal application, including any state-specific fees and special requirements permitted by SARA, to the State Portal Entity within 30 days of renewal notice being issued.
3. The State Portal Entity shall review the application and take one of four actions:
   a) approve the Institution's renewal application;
   b) approve the Institution's renewal application on Provisional Status (see Sections 3.2 and 3.3);
   c) return the Institution's application to the Institution for additional data/information;
   d) deny the Institution's renewal application.
4. The State Portal Entity will notify the Institution and NC-SARA of its decision on the renewal application no later than 30-days after its decision.
5. Upon notice of an approved renewal application, the Institution shall submit its renewal fee to NC-SARA within 30 calendar days of the date the Institution is approved as renewed, but before the participation end date. A 30-day (calendar) grace period beyond the institutional participation end is granted if the institution has been approved for SARA participation by the State Portal Entity before the participation end date. If payment has not been received by NC-SARA within 30 calendar days of the participation end date, a late fee of 25% of the Institution's renewal fee is applied if payment is received within five business days. The Institution remains listed on NC-SARA's list of participating Institutions. The Institution is designated "Approved." Institutions are not listed as current SARA Institutions until their payment is received by NC-SARA.
6. In case of a renewal deemed Provisional, the State Portal Entity notifies the Institution in writing of the rationale for that decision and related conditions. States shall notify their Regional Compact and NC-SARA of their renewal of an institution on Provisional Status. NC-SARA shall indicate Provisional Status for the institution on the NC-SARA website. The NC-SARA Institution Provisional Participation Form (AF4)

should be completed and submitted to NC-SARA by the Home State Portal Entity. (See Appendix C.)

7. The State Portal Entity shall monitor the Institution to ensure compliance with SARA policies and movement toward full renewal status. State Portal Entities may only use the circumstances listed in *SARA Manual,* Subsection 3.2(a) as rationale for determining Provisional status. An Institution may appeal, within 30 calendar days of notice of its Home State's decision providing Provisional Status, to its Regional Compact to ensure SARA policies were upheld during the review process.
8. Institutions receiving an application returned by its Home State for additional data/information shall complete the application within ten calendar days to facilitate completion of the application process by the participation end date.
9. If institutional participation renewal is denied, the Portal Entity will provide to the applicant Institution a written reason for the denial. The institution may appeal the denial of its renewal application within 30 calendar days to its Regional Compact to ensure SARA policies were upheld by its Home State during the review process.
10. By January 1, 2021, SARA Member States shall develop and implement a means to hear and internally resolve appeals from Institutions for which they deny initial participation or renewal of participation in SARA. During any such appeal the Institution's status as a SARA participating (or non-participating) Institution remains unchanged.
11. Institutions not fully complying with all renewal processes and procedures within five business days after expiration of the 30 calendar days grace period will no longer be listed as participating SARA Institutions on the NC-SARA website. An Institution denied renewal or not complying with renewal policies within specified timelines may reapply to become a SARA institution 180 calendar days after removal from the SARA participant list. Students enrolled under SARA provisions may continue enrollment under SARA provisions as governed by Subsection 3.7.

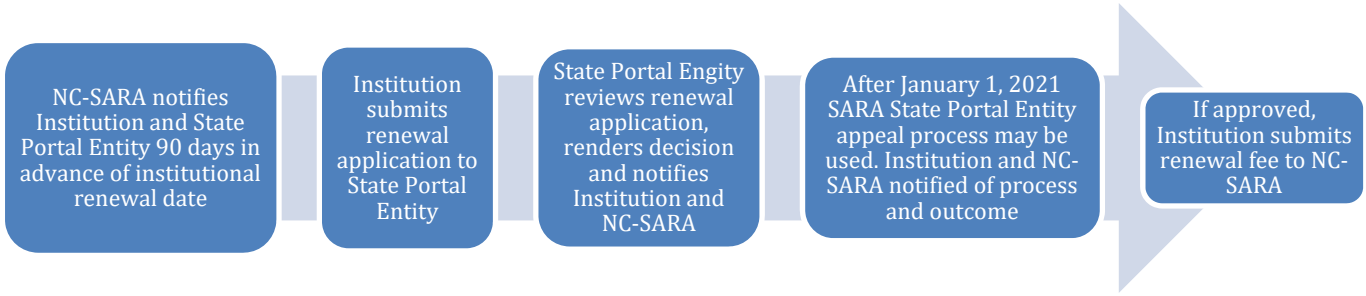
c. Grace Period. On the Institution participation renewal date, if the Institution has not yet paid, but has been approved by their state Portal Entity, there is a 30-calendar day grace period. This 30-day grace period, is automatic, but only if the Institution is approved. This 30-day grace period is intended to enable completion of the payment process. If payment is received after the 30 calendar days, but within five days of the extension period, a 25% late fee is required. Registration and payment must be completed during the 35 calendar days following the participation end date to ensure no lapse in SARA participation.

d. Institution Participation Deadline Extension. If an Institution is not approved on or before its participation end date, there is no automatic extension period generated. State Portal Entity staff and Institution contacts are sent an automatic expiration notice via email and the Institution is designated "expired." If they wish, the State Portal Entity may request a Participation Extension. The participation extension can only be applied AFTER the Institution status has changed to "expired" and must be approved by NC-SARA staff. It is important that the entire extension process is concluded within the 28 calendar days following the participation end date. *The State Portal Entity has 14 calendar days to approve the institution. Once they have been approved, the institution has 14 calendar days to submit payment to NC-SARA.* If payment is received in that time frame, the participation end date will be reset to the original date so no lapse in SARA coverage is shown. There is a 25% late fee assessed for Extensions. The

Participation Deadline Extension Form (AF2) (See Appendix C) must be completed and submitted to NC-SARA staff.

e. New Institutions applying for first-time participation have 60 calendar days after approval to complete registration and payment. If the deadline is missed, the *New Institution Participation Extension Form* (AF1) (See Appendix C) is required and 25% late fee is assessed.

Institutional Renewal Process



3.8. Loss of institutional eligibility or withdrawal under SARA

a. An Institution that does not renew its SARA participation agreement with its Home State under the terms of the *SARA Manual* or pay its required SARA fees annually is no longer eligible to participate in SARA. The *SARA Institution Non-Renewal Form* (AF5) is completed by the State and submitted to Regional Compact SARA staff. (See Appendix C)

b. At the time of annual renewal, the Home State must determine whether the Institution still meets SARA requirements.

c. An Institution can also be removed at any time by its Home State for violation of, or noncompliance with SARA policies.

Until in-State appeal processes proposed in Version 19.2 are approved, developed and implemented (no later than July 1, 2020), there is no "appeal" of such a decision made by the Home State, though an Institution can always present new information and request reconsideration. An aggrieved Institution has the option of asking its Regional Compact through the Compact's normal procedures to determine whether the Institution's Home State continues to meet the requirements of SARA, but the Regional Compact cannot direct the State to make a different determination regarding the specific case.

d. An Institution that withdraws or loses eligibility to participate in SARA:

1. Receives no fee refund from NC-SARA. (States may make their own decisions regarding refunds of any State fees).

2. May no longer enroll additional students under SARA provisions.
3. May continue to operate under SARA for currently enrolled students for 90 days or until each student enrolled under SARA policies in the current term has completed work for that term, withdrawn or otherwise ceased enrollment, whichever is longer, but in any event not to exceed six months from the date that the Home State notifies the Institution of its loss of SARA eligibility.

e. The Institution must meet non-SARA state requirements for States where any new students are admitted after withdrawal or a determination of loss of SARA eligibility.

f. An Institution that withdrawals or loses its eligibility to participate in SARA may reapply when it can demonstrate to its Home State that it meets SARA requirements.

Section 4. Consumer Protection

4.1 Applicability

Provisions of the *SARA Manual,* including those for consumer protection and the resolution of Complaints, apply to interstate Distance Education offered by participating SARA Institutions to students in other SARA States. Only those Complaints resulting from Distance Education courses, activities and operations provided by SARA-participating Institutions to students in other SARA States come under the coverage of SARA. Complaints about a SARA Institution's in-state operations are to be resolved under the State's normal provisions, not those of SARA.

EXPLANATORY NOTES

N1 **-** SARA Member States continue to have authority to enforce all their general-purpose laws[8] against Non-domestic out-of-state Institutions (including SARA-participating Institutions) providing Distance Education in the State, including, but not limited to, those laws related to consumer protection and fraudulent activities.

4.2 Role of Home State

SARA consumer protection provisions require the Home State, through its SARA Portal Entity, to investigate and resolve allegations of dishonest or fraudulent activity by the state's SARA-participating institutions, including the provision of false or misleading information.

4.3 Examples of Consumer Protection Issues

Examples of issues that may arise in regard to alleged fraudulent activity, violations of SARA policies or more general Complaints about improper activities include, but are not limited to:

a. Veracity of recruitment and marketing materials;

b. Accuracy of job placement data;

c. Accuracy of information about tuition, fees and financial aid;

d. Complete and accurate admission requirements for courses and programs;

e. Accuracy of information about the Institution's accreditation and/or any programmatic/specialized accreditation held by the institution's programs;

f. Accuracy of information about whether course work meets any relevant Professional Licensing requirements or the requirements of specialized Accrediting Agencies;

[8] A "general-purpose law" is one that applies to all entities doing business of any type in the State, not just institutions of higher education.

g. Accuracy of information about whether the Institution's course work will transfer to other Institutions; and

h. Operation of Distance Education programs consistent with practices expected by institutional accreditors (and, if applicable, programmatic/specialized accreditors) and/or the C-RAC *Guidelines* for Distance Education.

4.4 Responsibilities for resolving Complaints.

a. Institutions operating under SARA policies shall provide their and SARA's Complaint resolution policies and procedures to all students taking courses under SARA policies.

b. Initial responsibility for the investigation and resolution of Complaints resides with the Institution against which the Complaint is made. Further consideration and resolution, if necessary, is the responsibility of the SARA State Portal Entity and other responsible agencies of the Institution's Home State (see the following sections: Complaint Resolution Processes and Section 2.5 herein).

c. The State Portal Entity is responsible for conducting the investigation and resolution of Complaints that are not resolved at the institutional level. The Portal Entity may enlist the assistance of other responsible entities in the State in carrying out the work of Complaint resolution.

EXPLANATORY NOTES

N1 - If a Home State does not currently handle investigations and consumer protection for all of its Distance Education providers, will the Home State need to start doing that?

Yes. SARA centralizes primary responsibility for problem-solving in the Home State, therefore the Home State needs to be prepared to handle a larger volume of communication and issues for its domiciled, SARA-participating providers, even as its work with providers based in other States decreases. See federal rules for possible additional requirements.

d. The State Portal Entity is ultimately responsible for ensuring that a valid complaint results in proper redress.

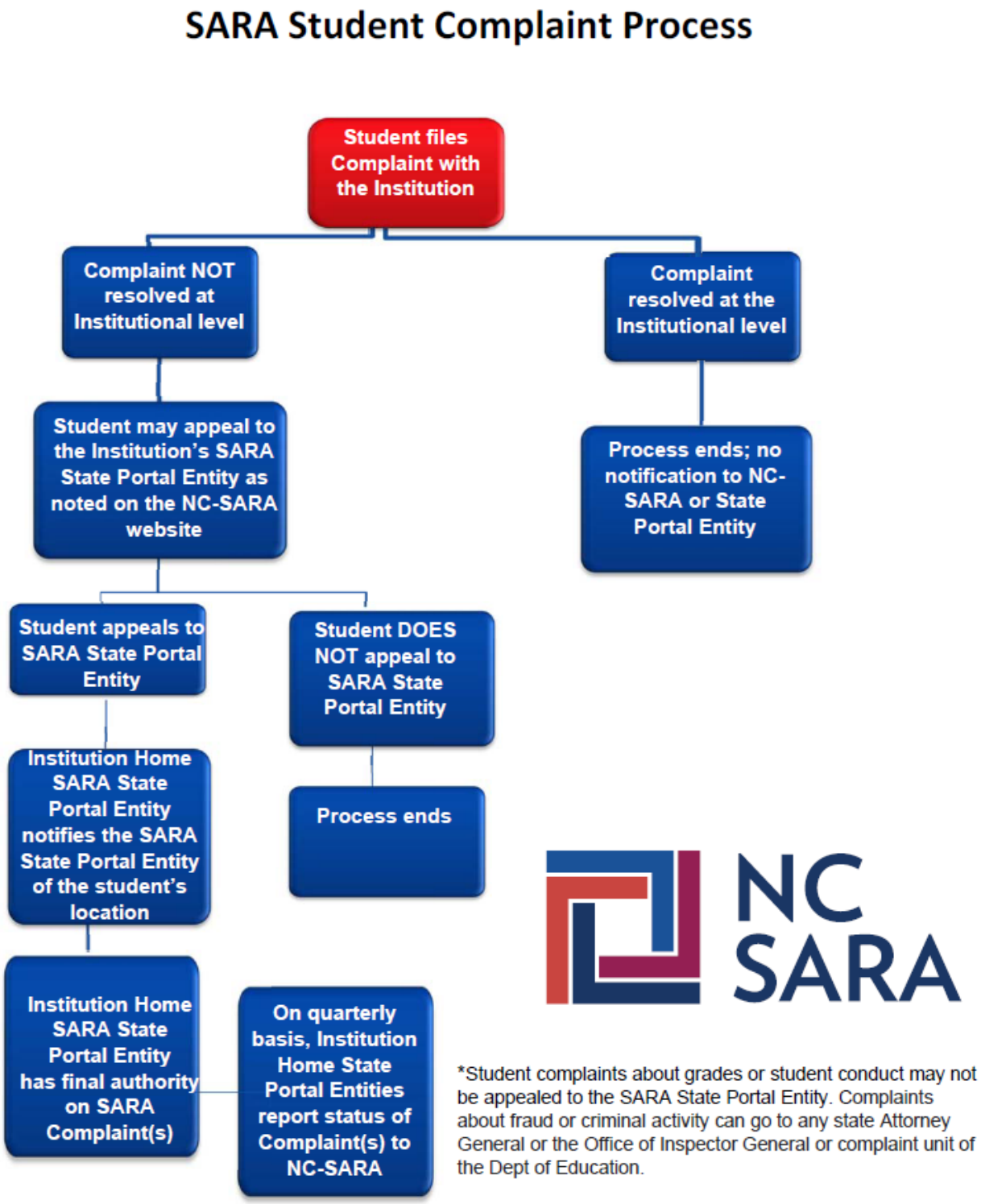
The State Portal Entity may delegate responsibility to investigate and resolve such Complaints to another government agency (e.g., a Board of Regents) or to a special body created to handle SARA Complaints for a group of Institutions, but must have and retain the function of hearing any appeals from decisions made by other agencies. The Portal Entity cannot merely have advisory powers; it must have the formal authority to provide final resolution of SARA-related Complaints and ultimately to remove any Institution, public or independent, from the state's list of SARA-eligible providers if that Institution fails to abide by SARA policies.

e. No SARA Member State, gives up its ability to investigate misrepresentation, fraud or other illegal activity by Institutions based in other states, including SARA-participating Institutions.

f. SARA Member States retain the ability to use any of their *general-purpose* criminal or consumer protection laws against an Institution that violates those laws. State oversight of distance education delivered by a SARA-participating Institution to students in any SARA Member State is centralized by SARA policy in the college's Home State.

g. Mandatory arbitration agreements do not pertain to SARA policy ~~issues~~. Disputes between students and Institutions on SARA-related matters are to be resolved by the Institution's State Portal Entity or through other means. A student may, however, bring to the Institution Home State SARA Portal Entity any issue that potentially involves a violation of SARA policies. Institutions that choose to operate under SARA accept a student's right to bring complaints about violation of SARA policies through the SARA process.

4.5 Process for Resolving Complaints (Logo update only)



4.5 Process for Resolving Complaints (Continued)

a. Complaints against an Institution operating under SARA policies go first through the Institution's own procedures for resolution of grievances. Allegations of criminal offenses or alleged violations of a State's general-purpose laws may be made directly to the relevant State agencies.

b. Complaints regarding student grades or student conduct violations are governed entirely by institutional policy and the laws of the SARA Institution's Home State.

c. If a person bringing a Complaint is not satisfied with the outcome of the institutional process for handling Complaints, the Complaint (except for Complaints about grades or student conduct violations) may be appealed, within two years of the incident about which the Complaint is made, to the SARA Portal Entity in the Home State of the Institution against which the Complaint has been lodged. That Portal Entity shall notify the SARA Portal Entity for the State in which the student is located of receipt of that appealed Complaint. The resolution of the Complaint by the Institution's Home State SARA Portal Entity, through its SARA complaint resolution process, will be final, except for Complaints that fall under the provision "g" below.

d. While the final resolution of the Complaint rests with the SARA Portal Entity in the Home State of the Institution against which the Complaint has been lodged, the Portal Entity in the complainant's location State may assist as needed. The final disposition of a Complaint resolved by the Home State shall be communicated to the Portal Entity in the State where the student lived at the time of the incident leading to the Complaint, if known.

e. While final resolution of Complaints (for purposes of adjudication of the Complaint and enforcement of any resultant remedies or redress) resides in certain cases with institutions (Complaints about grades or student conduct violations), or more generally with the relevant Institution's Home State SARA Portal Entity (all other Complaints), the Regional Compact(s) administering SARA may consider a disputed Complaint as a "case file" if concerns are raised against a SARA member State with regard to whether that State is abiding by SARA policies, as promulgated in the *SARA Manual*. The Regional Compact may review such institutional concerns in determining whether a State under its SARA purview is abiding by SARA policies. Similarly, a Complaint "case file" may also be reviewed by NC-SARA in considering whether a Regional Compact is ensuring that its SARA member States are abiding by the SARA policies required for their membership in SARA.

f. SARA State Portal Entities shall report quarterly to NC-SARA the number and disposition of appealed Complaints that are not resolved at the institutional level. NC-SARA shall make that information publicly available on its website. Such data will create transparency and can be used in determining whether a Regional Compact is ensuring that its SARA member States and those States' Institutions are abiding by the policies required for State membership and institutional participation in SARA.

g. Nothing in the *SARA Manual* precludes a State from using its laws of general application to pursue action against an Institution that violates those laws.

4.6 Oversight of Complaint investigation.

Investigation of a SARA-related Complaint against an Institution requires that a State board, agency or entity outside the institution's immediate management be available to handle Complaints that are not resolved within the Institution. A system board responsible for more than one separately Accredited institution may serve this role under SARA provisions. A board responsible for only one Accredited institution, or which lacks enforcement authority over an Institution, cannot serve as the SARA external oversight agency for such an Institution. In such circumstances, the Institution's home-state SARA Portal Entity may serve that function.

EXPLANATORY NOTES

N1 - Is the requirement under SARA that a State have a Complaint process for all of its Institutions something that SARA invented?

No. The requirement that States have such a complaint process is found in federal rules (*Code of Federal Regulations*) 34 CFR 600.9(a)(1). Complaints handled under SARA must comply with procedures established in federal rules.

4.7 Incorporation and use of C-RAC *Guidelines*

Consumer protection within SARA, in addition to dealing with alleged fraudulent activity, also provides for the investigation and resolution of Complaints that an Institution is operating a course or program contrary to practices set forth in the C-RAC *Guidelines* in such a way that a student is harmed. (The *Interregional Guidelines for the Evaluation of Distance Education [Online Learning]* are referred to as "C-RAC *Guidelines"* in this document). C-RAC *Guidelines* adopted by the Council of Regional Accrediting Commissions are incorporated in the requirements of SARA as policies. States that join SARA need to base their oversight of SARA activity and their investigative actions on the following expectations.[9] The president or chief academic officer of each Institution participating in SARA (whether Accredited by a "regional" or other recognized accreditor) shall attest that their Institution meets and agrees to comply with the following C-RAC provisions.

1. Online learning is appropriate to the Institution's mission and purposes.
2. The Institution's plans for developing, sustaining, and, if appropriate, expanding online learning offerings are integrated into its regular planning and evaluation processes.
3. Online learning is incorporated into the institution's systems of governance and academic oversight.
4. Curricula for the Institution's online learning offerings are coherent, cohesive, and comparable in academic rigor to programs offered in traditional instructional formats.
5. The Institution evaluates the effectiveness of its online learning offerings, including the extent to which the online learning goals are achieved, and uses the results of its evaluations to enhance the attainment of the goals.

[9] The complete C-RAC framework and examples of good practices are a part of the institutional application process. The numbering system used in this section of the *SARA Manual* is retained from the C-RAC framework.

6. Faculty responsible for delivering the online learning curricula and evaluating the students' success in achieving the online learning goals are appropriately qualified and effectively supported.
7. The Institution provides effective student and academic services to support students enrolled in online learning offerings.
8. The Institution provides sufficient resources to support and, if appropriate, expand its online learning offerings.
9. The Institution assures the integrity of its online offerings.

Section 5. Coverage and Limitations of SARA

5.1 Coverage of SARA

a. SARA applies solely to postsecondary Distance Education activity conducted across State lines. It does not apply to Distance Education activity inside the SARA-participating Institution's Home State or to on-ground campuses. For purposes of SARA, "Distance Education" includes limited activities conducted for short periods on the ground (see Sub-sections 5.3, 5.4 and 5.6).

b. SARA does not affect the applicability of general-purpose State laws such as business registries, general-purpose consumer protection laws, worker's compensation laws, criminal statutes and the like.

c. Institutional participation in SARA does not excuse or exempt Institutions that participate in federally funded programs from compliance with the federal rules applicable to such programs. Such programs include, but are not limited to, federal Title IV student assistance programs and military tuition assistance programs.

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.

EXPLANATORY NOTES

N1 - If a program is purely online except for field placements such as clinicals, student teaching, practica, etc., do those placements fall under SARA or are they considered a "Physical Presence" that activates State law?

Almost all such field placements (with certain limitations, see Subsection 5.12 and 5.13) will fall under SARA, but many may also fall under the jurisdiction of State professional licensing boards. They generally do not constitute a Physical Presence for SARA purposes.

N2 - Does it matter whether the "parent" program for an interstate Supervised Field Experience or Out-of-State Learning Placement is traditional on-ground or offered by Distance Education?

No. SARA covers all such interstate Supervised Field Experiences and Out-of-State Learning Placements except as noted in these policies.

N3 - Can an Institution that does not offer Distance Education (online courses, interactive video, etc.) participate in SARA in order to obtain the benefits of SARA for purposes of placing students in Supervised Field Experiences or Out-of-State Learning Placements?

Yes. Supervised Field Experiences and Out-of-State Learning Placements are considered Distance Education for purposes of SARA. Because SARA treats Supervised Field Experiences and Out-of-State Learning Placements as Distance Education, an Institution that meets SARA eligibility requirements and has any programs using such placements may participate in SARA even if it does not offer other kinds of Distance Education.

N4 - If the State entity responsible for Degree program authorization is also the State entity that determines, or helps determine, whether a program meets requirements for Professional Licensure, is there a conflict?

No. Although SARA policies replace the Degree authorization functions of such an entity for some purposes, it does not preclude that entity from performing other duties under State law, including determinations of whether a program meets requirements for State Licensure in professional fields.

5.3 Field trips and seasonal residential activity

SARA covers class field trips that do not involve multi-night residency across State lines among member States.

5.4 Short courses and seminars

Physical Presence under SARA is not triggered if the instruction provided for a short course or seminar takes no more than 20 classroom hours in one six-month period.

Class meetings during a full-term course do not trigger Physical Presence if the instructor and students physically meet together for no more than two meetings, totaling six hours or fewer. Apparent abuses of these provisions may be brought to the attention of the Home State by concerned Institutions or others.

EXPLANATORY NOTES

N1 - Physical Presence under SARA is not triggered if the instruction provided for a short course or seminar takes no more than 20 classroom hours in one six-month period. The 20-hour rule provision ONLY applies to short courses that are not offered in a traditional calendar term.

N2 – Class meetings during a full-term course do not trigger Physical Presence if the instructor or students physically meet together for no more than two meetings, totaling six hours or fewer. The six-hour/two meeting provision ONLY applies to full-term (semester or quarter length) courses.

N3 – To provide potential benefits to students, this provision enables a modest amount of face-to-face student-institution interaction without triggering Physical Presence in SARA States. It does not allow institutions to offer a succession of short courses, seminars or other offerings and thereby effectively establish continuing Physical Presence.

5.5 Third-party providers

a. Contacts between a third-party provider of educational services and any SARA office or State must be made via the Degree-granting Institution that operates under SARA. A third-party provider may not represent an Institution regarding any subject under SARA operating policies to any SARA office or any State operating under SARA. The Institution that transcripts a course is considered the Degree-granting Institution for purposes of this section.

b. A SARA participating Institution may hire third-party providers to offer or support instruction contained within a program that is otherwise SARA eligible, assuming that the instruction otherwise meets SARA standards, institutional requirements and requirements of accrediting bodies. However, the degree-granting Institution cannot delegate any SARA related problem-solving functions to a third-party provider, nor may it use the third-party provider as its formal vehicle for contacting or working with a State.

c. SARA policies do not provide state authorization for "test prep" and other similar training programs offered by entities that are not degree-granting Institutions.

EXPLANATORY NOTE

N1. Although these business activities often claim to prepare students for exams offered by a Degree-granting provider, they are not covered by SARA because they are not programs offered by a postsecondary Institution. SARA *does* cover exam preparation activity offered by a SARA participant Accredited degree-granting Institution that is an integral component of a course or program offered by that Institution among SARA member States.

5.6 Offerings on military bases

a. All Distance Education course offerings provided interstate by a SARA participant Institution to active and reserve military personnel, their dependents, and civilian employees of the installation located on a U.S. military facility or vessel in a SARA member State are covered by SARA. If such offerings are open to the general public for enrollment, SARA does not apply and State law where the facility or vessel is located applies.

b. Veterans Affairs facilities are not considered "military" facilities for purposes of SARA.

5.7 Hybrid Programs

a. Some programs or courses involve some on-ground and some online activity. SARA covers those portions of such a program that take place via Distance Education across State lines by participating providers in SARA member States, subject to the limitation in subsection b, below.

b. If Distance Education activity covered by SARA is part of a course or program that constitutes Physical Presence under SARA policies in the Host State, the Portal Entity in the Host State may require the Institution to provide information about the entire

activity, including the part that is offered under SARA. Otherwise, the Host State could not effectively evaluate and oversee the on-ground portion of the program.

5.8 Dual-credit courses

Dual-credit courses offered by Distance Education by a SARA provider to a high school student in another SARA State are covered by SARA if they result in a direct award of postsecondary Credit or some other kind of postsecondary award or certificate. They are not covered if they are alternative high school completion courses that do not carry a postsecondary award, or classes such as *Advanced Placement*, for which award of Credit is variable and discretionary upon future postsecondary enrollment.

EXPLANATORY NOTE

N1 **-** It is important to distinguish these activities because SARA only covers postsecondary work. K-12 level courses are not postsecondary. In addition, SARA does not supersede or replace any State laws that cover the operation of Institutions delivering instruction to K-12 students. In such cases, the State's K-12 regulatory requirements still apply.

5.9 Tutoring

One-on-one in-person tutoring in an academic subject by a faculty member living in one SARA state on behalf of an Institution operating under SARA from another SARA state is covered by SARA unless more than one student is present in the same physical space at the same time. It does not constitute a Physical Presence under SARA policies.

5.10 Physical Presence

Generally, an Institution has Physical Presence when it operates a campus, branch instructional facility whether leased or owned, or administrative office within the boundaries of a State. However, because the specific definitions of Physical Presence currently vary greatly from State to State, especially with regard to out-of-state Institutions that seek to conduct any activity within another State, SARA has established its own uniform standards for Physical Presence vs. Distance Education. For purposes of participation in SARA, these standards apply, but they do not affect the application of existing State laws to Institutions that choose to operate outside of SARA or which are based in States that are not SARA members.

a. For purposes of SARA, an Institution has Physical Presence and therefore must meet the State's current non-SARA requirements if it does any of these things in a State:

    1. Establishes a physical location for students to receive synchronous or asynchronous instruction;

        i. This is intended to mean a semi-permanent fixed space, such as leased, rented, owned or donated space.

2. Requires students to physically meet in a location for instructional purposes more than twice per full-term (quarter or semester) course for a total of more than six hours. It does not apply to designated short courses (See 5.10(a)(5) below);
3. Establishes an administrative office;
4. Provides information to students for the purpose of enrolling students, or provides student support services, from a physical site operated by or on behalf of the Institution in the State;
5. Offers a "short course" that requires more than 20 contact hours in one six-month period;

   i. The 20-hour limit can be used only for a short course that runs, for example, four days and is completed. It applies only to short courses and cannot be used with a full-term course, to which separate provisions apply.

6. Provides office space to instructional or non-instructional staff;
7. Maintains a mailing address or phone exchange in a state. (Casual use of a mobile phone by institutional representatives passing through a state and who are otherwise in compliance with SARA policies does not violate this section.);
8. Carries out field study or field research located at a field station, research station or other physical site at which a faculty member or other institutional employee or contractor supervises or otherwise directs two or more students in an activity exceeding the allowable short course length set forth in Subsection 5.10(a)(5) and which either bears academic credit or is a requirement for a course or program.

b. An Institution does not have Physical Presence, and is therefore covered by SARA in SARA member States, if it is:

   1. Offering courses to individuals via Distance Education in ways that do not require students to gather physically in groups, excepting the special provisions in Section 5;
   2. Advertising to students whether through print, billboard, direct mail, internet, radio, television or other medium;
   3. Offering Distance Education courses on a military base or vessel if enrollment in such courses is limited to active and reserve military personnel, their dependents, and civilian employees of the installation;
   4. Maintaining a server, router or similar electronic service device housed in a facility that otherwise would not constitute Physical Presence (the presence of a server or similar pass-through switching device does not by itself constitute the offering of a course or program in that State);
   5. Having faculty, adjunct faculty, mentors, tutors, recruiters or other academic personnel residing in a member State and working from their homes or another private, non-institutional site, provided that such staff is not engaged in activities that would otherwise constitute Physical Presence as defined by SARA policies;
   6. Holding proctored exams on behalf of the Institution in the host state;
   7. Having contractual arrangements in the Home or Host State, e.g., procurement contracts or course offerings through consortium agreements;
   8. Operating limited Supervised Field Experiences or out-of-state learning placements. (See subsection 5.11);

9. Using recruiters in a SARA member State. This provision is not restricted to recruiting for courses or programs offered under SARA, and does include athletic recruiting.
10. Engaging in field trips to visit existing sites or facilities for academic purposes not involving the establishment of residential or instructional facilities.

5.11 Supervised Field Experiences[10]

a. If the Host State requires approval of Supervised Field Experiences by agencies or boards responsible for professional requirements in fields requiring Licensure or certification for practice, such professional approval requirements remain in effect.

b. Supervised Field Experiences, except for requirements of professional licensing entities as noted in "a" above, and subject to the following limitations, do not establish a Physical Presence under SARA and are therefore covered by the provisions of SARA governing interstate Distance Education activity, whether the field experience is part of a Distance-Education or campus-based program.

c. Existing contracts among provider Institutions and sites used for Supervised Field Experiences as of the date that an Institution begins participating in SARA are not impaired, revised or otherwise affected by SARA. At the time that any provision of such a contract is changed, the new contract must comply with SARA policies set forth herein.

d. A contract for Supervised Field Experiences to be covered by SARA is limited as follows. Such a contract:

   1. Cannot provide for the placement of more than 10 students from an individual academic program placed simultaneously at one clinical or practicum site, unless approval for a larger number is provided by the Host State SARA Portal Entity.

   2. May be objected to by the Host State Portal Entity on grounds that the Institution has:

      i. A demonstrable failure to achieve an acceptable professional licensing rate in the Host State if the program customarily leads to licensure, provided that the acceptable rate is not higher than the lower of (a) the lowest rate of a Host State-based Institution in good standing or (b) the average State licensure rate, or
      ii. An unreasonable number of valid, documented Complaints about program operation or quality which have not been adequately resolved by the Institution.

   3. If a Host State objects to a Supervised Field Experience or clinical placement under SARA on the grounds set forth in subsection "2" above, the affected Regional Compact(s) shall determine whether the placement is allowable under SARA, using procedures to be developed for that purpose.

[10] The term "Supervised Field Experiences" is defined in Subsection 1.41 and is not repeated in this section of the document. Examples include practica, student teaching, and internships.

e. Any student enrolled in an academic program prior to the time the Institution begins operations under SARA may remain at any Supervised Field Experience site to which the student is assigned, irrespective of SARA policies.

f. An Institution operating under SARA that owns a Supervised Field Experience, clinical or practicum site is not subject to the limitations of subsection "d" on placement of its own students at such a site.

g. SARA policies regarding Supervised Field Experiences do not supersede, replace or modify any federal law that would affect students placed under SARA. SARA policies are subsidiary to any such federal laws covering the same subjects.

EXPLANATORY NOTE

N1 - If an Institution has a pre-existing contract for placement of students in clinical sites, and that contract allows for more students or a longer period of time than SARA allows, does participating in SARA invalidate the contract?

No. SARA has no effect on pre-existing contracts of this nature. However, such contracts must be in compliance with existing State law in the state where the clinicals take place at the time the Institution begins operating under SARA. When such a contract is revised, reviewed, or renegotiated, and both States are SARA members, SARA policies apply to future contracts.

h. The Institution's obligation to track and report the placement of students in internships, clinicals and similar activities applies to those activities that are:

   a. offered for credit and/or offered for a fee; or

   b. required for completion of a degree or certificate

i. Details of how to report such activities are provided in an annual *Data Reporting Handbook* provided by NC-SARA.

5.12 Student mobility

a. Location of student

1. Educational activity under SARA policies is deemed to occur where the student is physically located at the time the student is in contact with the educational provider or a contractor acting on behalf of the provider.
2. The student's legal State of residence is not a factor in determining physical location for purposes of SARA.
3. The fact that the student moved involuntarily (for example owing to service in the military or incarceration) is irrelevant to a determination of location for purposes of subsection "1" above.

b. Independent study by students

Independent off-campus study, e.g., independent fieldwork for a thesis or dissertation, by individual students not engaged in a Supervised Field Experience or in direct contact with the student's Institution does not constitute a Physical Presence of a postsecondary Institution in a SARA Member State.

5.13 Location of teaching faculty

An Institution may employ faculty who live outside the Home State, including faculty who live outside the United States, to teach in programs offered under the jurisdiction of the Home State.

Section 6. Data Submission Requirements for Institutions Participating in the State Authorization Reciprocity Agreement (SARA)

6.1 Data submission by participating Institutions

a. Institutions participating in SARA shall annually report to NC-SARA the number of exclusively Distance Education students enrolled in the Institution engaged in Distance Education, disaggregated by State, territory, or district in which the students are located, including the Home state. This would include both Degree and non-degree for-credit courses. For details see annual issues of the *Data Reporting Handbook* provided by NC-SARA.

b. Institutions participating in SARA shall also annually report to NC-SARA the numbers of their students engaged in certain experiential learning placements (rotations, internships, student teaching, etc.), disaggregated by State and two-digit Classification of Instructional Programs (CIP) codes as assigned by the U.S. Department of Education. For details, see annual issues of the Data Reporting Handbook provided by NC-SARA.

c. These data shall be reported annually to NC-SARA. The window of institutional reporting will be May 15-June 15 of each year.

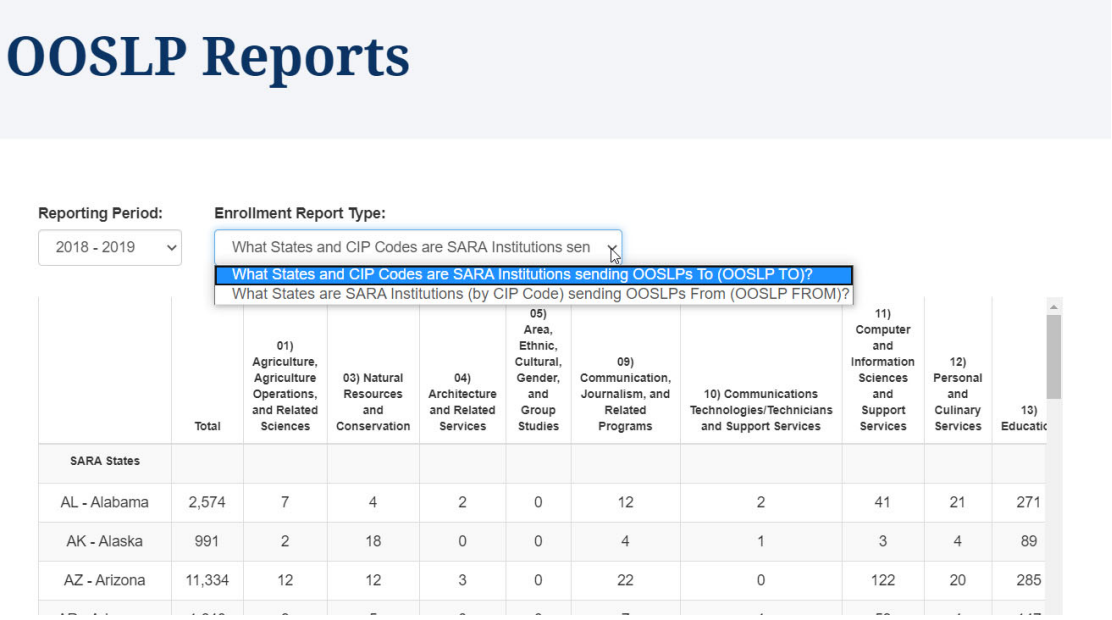
d. Prior to such data submissions, NC-SARA will provide a *Data Reporting Handbook* and a Data Sharing Agreement to each SARA Institution.

e. Institutional failure to comply with these reporting requirements shall be taken into consideration by Home States when Institutions apply for renewal and may be grounds for placing an Institution on provisional status or disapproval of continued participation. Implementation date: January 1, 2021.

6.2 Data use by SARA

a. NC-SARA on its website will report enrollment data, by Institution, in a manner similar to the following format:

b. NC-SARA on its website will report learning placement data by institution, in similar format.



c. NC-SARA will not collect individually identifiable student data and will comply with the Family Educational Rights and Privacy Act (FERPA).

Section 7. Complaint Resolution Reporting for SARA Member States

7.1. Duties of States

SARA Member States shall report the following information to NC-SARA on a quarterly basis:

a. The number of Complaints from out-of-state students, by Institution, appealed to the State's SARA Portal Entity after the person making the Complaint has completed the Institution's and/or governing board's (if relevant) Complaint resolution process.

b. The resolution of those Complaints in the aggregate, by SARA Institution, reported as: number resolved in favor of the person making the Complaint, number resolved in favor of the Institution, number resolved by agreement, and number pending resolution.

7.2. Duties of NC-SARA

a. The number of Complaints* appealed to the Portal Entity will be placed within the context of the Institution's total out-of-state Distance Education enrollments, as reported to SARA, as follows:

Alabama

Alaska

Institution	Complaints Appealed to Portal Agency	Out Of State Distance Ed Enrollments	Resolved in Favor of the Student	Resolved in Favor of Institution	Negotiated Resolutions	Under Consideration
University of Alaska Fairbanks	0	0	0	0	0	0
University of Alaska	0	0	0	0	0	0

* After completion of the Institution's full complaint resolution process.

b. NC-SARA will not collect individually identifiable student data and will comply with the Family Educational Rights and Privacy Act (FERPA).

Section 8 Responding to Questions and to Requests to Modify SARA Policies

8.1 Basic procedure for questions about SARA

Questions from people affiliated with an Institution should go first to the Institution's SARA liaison officer, if one has been designated.

Questions from an Institution's SARA liaison staff, or, if there is no designated SARA liaison, should be directed as follows:

State-specific SARA Activities – to STATE PORTAL ENTITY[11]
- State SARA fees
- Institution application status
- Institution renewal status
- Institution renewal problems – deadlines missed and late fees
- Institution Accreditation changes
- Institution SARA status changes

SARA Policies and Procedures – to REGIONAL COMPACT[12]
- State application status
- State renewal status
- Questions about C-RAC *Guidelines*

National Reporting and SARA Oversight – to NC-SARA OFFICE[13]
- NC-SARA SARA Policies
- NC-SARA's accounting and data activity
- NC-SARA payment activity
  - Initial NC-SARA payment
  - Renewal NC-SARA payment
  - NC-SARA late fees
- NC-SARA Complaint reporting
- NC-SARA Enrollment reporting
- NC-SARA Out-of-State Learning Placement reporting
- NC-SARA Website, webcasts and presentation requests

8.2 Minor modifications

a. Process: Questions, comments, or suggested modifications to SARA policies, from institutions and other key stakeholders, may be brought to the attention of:

   - SARA Portal Entity directors in SARA states;
   - SARA directors in the Regional Compacts;
   - Regional SARA steering committees; or

[11] See https://www.nc-sara.org/state-portal-entity-contacts for current contact information
[12] See https://www.nc-sara.org/nc-sara-staff-and-regional-sara-directors-coordinators for current contact information
[13] See https://www.nc-sara.org/nc-sara-staff-and-regional-sara-directors-coordinators for current contact information

- The President or staff of the National Council for State Authorization Reciprocity Agreements (NC-SARA).

Such communications shall be dealt with in as expedient a manner as possible, while ensuring broad consultation and consistency across the SARA community.

Unresolved questions, concerns, or comments shall involve further consultation among state SARA Portal Entity directors, regional and NC-SARA staff. The NC-SARA President and NC-SARA staff shall work with regional directors to develop and/or propose responses. As appropriate, that process may include consultation with the SARA steering committees in the Regional Compacts and with the NC-SARA Board. The President of NC-SARA is responsible for ensuring that responses are developed.

b. Minor Modifications: The President may approve and promulgate clarifications and minor modifications that do not substantively change SARA *Policies*, after concluding the consultative process described above.

8.3 Significant modifications

Ultimately, it is the responsibility of the President and CEO of NC-SARA to ensure broad consultation among the Regional Compacts, NC-SARA, and the SARA community at large in developing responses to requests for significant modifications to the *SARA Manual.*

Requests for significant changes should be addressed to the President and CEO of NC-SARA, who will work with the Regional Compacts, their SARA steering committees, the NC-SARA executive committee, and the NC-SARA Board to ensure consideration and resolution. Persons making such requests should provide a rationale supporting their request. Such requests will normally be considered at the state level first, followed by consideration by the relevant SARA regional steering committee. If any such request gains the approval of a regional compact's SARA steering committee, the President at earliest opportunity shall place that request on the agenda of the NC-SARA Board for its consideration, or, if necessary, make other arrangements for Board consideration.

In responding to and ultimately acting on such requests, regional and national SARA staff and oversight committees shall evaluate proposed changes in light of SARA's fundamental reliance on interstate reciprocity and trust, and on the fundamental purposes of SARA, which are to support high quality Distance Education, resolve problems encountered by students, and simplify and support the interstate offering of Distance Education using a model under which an Institution's Home State is primarily responsible for what the Institution offers under the aegis of SARA.

Other guiding principles for the review, clarification and modification of SARA policies include:

- Broad consultation with key stakeholders;
- Maintaining consistency in policy and procedures;
- Transparency and openness; and
- Responsiveness to stakeholders and emerging policy issues.

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Section 9. Revisions to SARA Documents

9.1 Revisions to the SARA *Unified Agreement*

Revisions to the *SARA Unified Agreemen*t are documented in minutes of the National Council for SARA and are available from the NC-SARA office and on the www.nc-sara.org website.

9.2 Revisions to the *SARA Manual*

Changes to SARA policies*,* contained and confirmed in the *SARA Manual,* shall be classified as **Corrections** or **Revisions**. Corrections represent minor technical fixes or clarifications that do not represent a substantive change in policy or procedures. Revisions represent substantive changes in policy (or new policies), or procedures. The last page of this document shall contain a running list showing the date that any Corrections or Revisions were made, and referring to any documentation of such changes, in order to maintain a record of such changes. That record follows this section.

SARA Policies and Standards were originally adopted by the National Council for SARA November 1, 2013, published in final form with minor revisions and corrections by NC-SARA staff November 18, 2013. Revisions are noted below. The *Policies and Standards* were renumbered and compiled into a section of the *SARA Manual* in July 2016. Revisions and corrections after June 15, 2016, are noted in their own section following the notes below.

9.3 Record of Corrections and Revisions through January 1, 2020.

Record of Corrections and Revisions

November 19, 2014	1) Corrected section heading numbering, which was missing Section 4. 2) Adjusted FAQ references to match corrected headings. 3) Added commas to unify the format of the FTE and fee schedule.
February 10, 2014	1) Revision of SARA's *Policies and Standards* for Consumer Protection.
May 14, 2014	1) Policy Added Section 6: Data Submission Requirements for Institutions Participating in SARA. 2) Policy Added Section 7: Complaint Resolution Reporting for States Participating in SARA.
August 19, 2014	Revision of SARA's *Policies and Standards* Section 3: Institutions and Participation, subsection 10: Offerings on military bases.
December 5, 2014	1) Definition Added for the term "Legal Domicile." 2) Addition to SARA's *Policies and Standards* Section 2: States and Membership, subsection 5: Functional responsibilities of states (i).

	3) Addition to SARA's *Policies and Standards* Section 3: Institutions and Participation, subsection 2: Provisional admission of an institution. Note: Renumbering of existing content. 4) Addition to SARA's *Policies and Standards* Section 5: Physical presence standards, subsection 2(j). 5) Revision of SARA's *Policies and Standards* Section 6: Data Submission Requirements for Institutions Participating in SARA. 6) Revision of SARA's *Policies and Standards* Section 7: Complaint Resolution Reporting for States Participating in SARA.
January 7, 2015	1) Revision of SARA's *Policies and Standards* Section 5: Physical presence standards subsection 2, revised and removed Experiences to new subsection 3. Note reordering of existing content of subsection 2.
May 13, 2015	1) Addition to SARA's *Policies and Standards* Section 3: 11. Participation by Tribal Colleges. 2) Addition to SARA's *Policies and Standards* New Section 8: Modification Process for SARA *Policies and Standards.* 3) Clarification of SARA's *Policies and Standards* Section 3: Institutions and Participation, 4. Loss of Institutional eligibility. 4) Revision of SARA's *Policies and Standards* Section: Section 4. Consumer protection, 2. Complaint Resolution Processes.
July 10, 2015	1) Addition to SARA's *Policies and Standards* New Section 3.4 Renewals
November 3, 2015	1) Clarification of the continuing authority of boards of Professional Licensure. Section 5.3(a and b).
December 1, 2015	1) Addition of Section 2.6, Renewal of state membership. 2) Addition to Section 3.2, Provisional renewal of an institution. 3) Addition to Section 3.4.2, Process for institution renewal. 4) Addition to Section 5.1, Field study or research. 5) Addition to Section 5.2, Physical presence.
January 12, 2016	1) Revisions to and reformatting of Section 8.
September 15, 2016	*Policies and Standards* recodified and integrated into *SARA Manual.*
October 20, 2016	*SARA Manual* 16.2 approved by the NC-SARA Board with minor adjustments to later be made. • Table of Contents and Index added. • Updated definitions for Affiliate Member, Non-domestic Institution and Supervised Field Experience. • Renewal process graphic added 2.6(b)(4) • New subsections:

- covering moves to Home State added 3.1(c)(3)
- Multiple providers 3.1(d)
- Terminology as it relates to the use of "approved" 3.1(f).
- Institution renewal and reapplication time line 3.4(a)
- Mechanics of the renewal process 3.5(b).
- Loss of institution eligibility 3.6(d).

- Addition of Section 5, Coverage and Limitations of SARA.

December 8, 2016 — *SARA Manual* 16.3 placed on NC-SARA.org.

May, 2016 — 1) Clarification to Section 2.2.5 Explanatory note 2
2) Clarification to Section 5.9(a) Hybrid programs.

October 6, 2017 — 1) Renumber document as revision 17.2.
2) Reinserted earlier FAQ about SARA's use of the U.S. Department of Education's financial responsibility scores (Appendix B).
3) Clarification of institution's responsibility regarding notifications (Section 5.2.6).

November 3, 2017 — 1) Addition of 3.3. Provisional status of an institution between renewal periods and renumbering as necessary

March 12, 2018 — 1) Renumbered document as revision 18.1
2) Grammatical and formatting updates for consistency throughout the document
3) Clarification of institution participation for institutions with a Federal Financial Score of below 1.0
4) Institution website note moved from 6.2(d) to 3.1(h)
5) Additional Explanatory Notes as noted:
- 3.2 Clarification of Investigation related to provisional status
- 3.6(b) Experiential student reporting
- 5.12(a)(1) Short Course/Field Trip
- 5.2(b) Institution notification to students
- 5.4 Short Course/20-Hour
- 6.(b)(8) Correction: Institutions are listed on the NC-SARA website not the regional compact websites.

6) Clarification of Participation Grace Period and Expiration Exception.

March 12, 2018 — *SARA Manual 18.1* placed on NC-SARA.org

May 11, 2018 — 1) Renumbered document as revision 18.2
2) Updated SARA Regional Compact contacts for MHEC and NEBHE
3) Updated NC-SARA Staff contacts
4) Section 3.6 Renewals
- Change of Form name to Participation Deadline Extension Form

	5) Section 5 Coverage and Limitations of SARA • addition of 5.1(c) 6) Section 6 Data Submission Requirements for Institutions Participating in the State Authorization Reciprocity Agreements (SARA) • addition of 6.1(b) Data submission by participating institutions • addition of 6.2(b) Data use by SARA 7) Added NC-SARA Administrative Forms as Appendix C *SARA Manual 18.2* placed on NC-SARA.org
March 21, 2019	1) Added definitions for "Financial Responsibility Composite Score/Composite Score," "Out-of-State Learning Placement," "Professional Licensure or Licensure," and "Provisional Admission/Provisional Status." Replaced the word "Agreement" as a defined term with the term "*Unified Agreement*" (the text of the definition is unchanged). 2) Replaced the unidentified acronym "OPEID" with the term "Office of Postsecondary Education Identification" number. Added the designation "*Code of Federal Regulations* (CFR)" when referencing federal regulations, such as in the explanatory notes in Sections 4.8 and 5.2. 3) Terms occurring in Version 19.1's list of Definitions are now generally capitalized in the text of the *SARA Manual*. 4) Standardized terminology to clarify that States are "Members" of SARA, while Institutions "participate" in SARA. 5) Version 19.1 replace the words "college," "university," and "school," whether occurring singly or together, with the defined term "Institution." 6) Included policy modifications approved by the NC-SARA Board on November 1, 2018: Subsections 3.2(d and e) and Subsection 3.3, as amended, under certain stated conditions allow an Institution to be approved or reapproved by its Home State for participation in SARA on Provisional Status for up to two years. 7) Section 5.4, clarifies the status of short courses that last exactly six hours 8) Subsection 5.7 of Version 18.2 (Participation by Tribal Colleges) and Subsection 5.8 of Version 18.2 (Participation by federally owned or federally chartered institutions) have been moved from Section 5 (Coverage and Limitations of SARA) to Section 3 (Institutions and Participation) as Subsections 3.1(c and d). Text was unchanged. 9) Changed the pre-existing statement that casual use of a cell phone by an institutional representative does not establish Physical Presence within a SARA Member State from an "Explanatory Note" to a continuation of the policy statement about establishing mailing addresses and phone exchanges (Section 5.10(a)(7).

	10) Added the words "leased, rented, owned or donated" as examples of the types of spaces considered to be a "semi-permanent fixed space" for purposes of Section 5.10(a)(1)(a). 11) To increase clarity, changed the order of statements within Section 6.1 (Data submission by participating institutions). 12) Incorporates NC-SARA Board action of November 1, 2018 to change the title of the Executive Director of NC-SARA to "President and Chief Executive Officer of NC-SARA".
June 1, 2019	1) Section 1, added definition of "Branch Campus", "Central Administrative Unit", "Main Campus". 2) Section 2.2, upon recommendation of our attorneys, have regional compacts develop and implement an internal process to hear and resolve appeals from states for which they deny SARA membership. 3) Section 2.5(c), clarifies how ED assigned scores are deemed official for SARA purposes. 4) Section 2.5(d), Calculation of proxy Composite scores for institutions that do not participate in Title IV programs, clarifies that states may employ an external, certified, independent accountant to calculate such scores. 5) 2.5(e), Institution appeal process, upon recommendation of our attorneys, have states develop and implement an internal process to hear and resolve appeals from institutions for which they deny SARA participation. 6) Section 2.5(g) Complaint resolution flexibility for states, promotion of "Explanatory Note" to policy language. 7) Section 2.5(h), Catastrophic events, added language currently appearing the state application. 8) Section 2.5(i), Need for states to retain policies/rules for non-SARA institutions, promotion of "Explanatory Note" to policy language. 9) Section 2.5(l), State oversight of so-called "Hybrid" programs, promotion of "Explanatory Note" to policy language. 10) Section 2.6(c), Appeal process for compacts, re-statement of appeals language for compacts. 11) Section 3.1(b)(2), Institutional location, clarifies that institutions participating in SARA must be located in a SARA member state. 12) Section 3.1(c), Accreditation status for SARA institutions, Promotion of "Explanatory Note" to policy language. 13) Section 3.1(f), Home State, clarification of Home State determination process. 14) Section 3.1(f), Responsibilities of the Home State, promotion of "Explanatory Note" to policy language and moved to 3.1(f). 15) Section 3.1(i-k), Home State Oversight, clarification of Home State oversight of Distance Education offered by SARA institutions.

	16) Section 3.2, Provisional Status, clarifications of circumstances allowing states to approve an institution's participation in SARA on Provisional Status, including composite scores between 1.0 and 1.5. 17) Section 3.5(b)(1-3), State fees for SARA Participation, promotion of "Explanatory Note" to policy language. 18) Section 3.6(b)(10), Appeal process for states, re-statement of appeals language for states. 19) Section 3.7(c), Loss of institutional eligibility, References appeal policy. 20) Section 4.4, Responsibilities for resolving Complaints, Re-order subsections. 21) Section 4.4(d), Complaint resolution responsibility, promotion of "Explanatory Note" to policy language. 22) Section 4.4(e,f), Retained authorities of SARA states, promotion of "Explanatory Note" to policy language. 23) Section 4.4(g), Mandatory arbitration, promotion of "Explanatory Note" to policy language. 24) Section 4.7(a-d), C-RAC *Guidelines*, replace letters designating subsections with numbers to conform to format protocol of the C-RAC Guidelines document. 25) Section 5.2, Notifications about professional licensure, added language re. post-licensure. Added reference to recently concluded negotiated rulemaking. 26) Section 5.4, Short Courses, provided clarifying language on the short course provision. 27) Section 5.5(c), Third-party providers, "test prep", promotion of "Explanatory Note" to policy language. 28) Section 5.6(b), Veterans Affairs, promotion of "Explanatory Note" to policy language. 29) Section 8.3, Consideration of significant modifications of SARA policies, added additional language.
January 1, 2020	1) Introduction Section, adds clarifying language of the relationship between the Unified State Authorization Agreement "Unified Agreement" and *SARA Manual* to confirm *SARA Manual* as current policy document. 2) Version 20.1 includes consistent use of "not-for-profit" and "independent" rather than "private" when describing a type of institution 3) Section 2.5(c), affirms State responsibility to make timely confirmation of federal financial responsibility scores to determine eligibility to participate in SARA. 4) Section 2.5(d), the State is to use the Department provided calculation methodology that matches the Institution's sector 5) 1 Section 3.1(i), clarification to add the language "from a facility located in a SARA member state. The section now reads, "To be eligible for delivery under SARA policies, Distance Education must be offered under the oversight

	authority of a SARA Member State from a facility located in a SARA member state." 6) Section 3.2, adds two additional Provisional status possibilities. 7) Section 3.4, adds section for SARA eligibility following change in ownership. 8) Section 4.6, Explanatory Notes, N1, removed word as amended in 2010 as clarification. 9) Section 5.2 (a and b), align new Federal Regulation language on the use of word "located" verses "resides. 10) Section 5.2, removes section referencing 2019 Ed Rules being delayed. 11) Section 6.1, recommends that states determine consequences for institutional failure to report enrollment data.
June 30, 2020	1) Section 2.5(c) clarification on the need of review of institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5. 2) Section 2.5(d) clarification of language regarding to which agency or body an institution may appeal a decision regarding participation in SARA. 3) Section 2.5(h)(1) adjusted to align with Federal Regulations that were inadvertently left out of the *SARA Manual*. 4) Section 2.5(q), addition of this sentence; "States shall have a process for considering applications for provisional status." 5) Section 5.2 Programs leading to Professional Licensure adjusted to correlate to the Federal Regulations. 6) Section 5.3 Field trips and seasonal residential activity, clarification of policy with adjustment of words in Explanatory Note: SARA covers class field trips that do not involve multi-night residency. 7) Section 6.1(b) and (c) modified to reflect data policy and remove process information. 8) Section 6.2 modified to reflect data policy and remove process information.
November 13, 2020	1) Section 1 modification to add a phrase regarding non-credit bearing courses to the definition of "Operate." 2) Section 2.6(c) modification to replace the word "it" with "the Compact" for clarity of reference. 3) Section 3.1(b)(6) modification to language to align with application requirements for all institutions when programs are no longer offered. 4) Section 3.2 change to add one additional reason that a state might put an institution on provisional status. 5) Section 4.4(g) modification to delete the word "issues" in the context of the section regarding mandatory arbitration.

6) Section 8.2(a) modification to add a phrase to specifically indicate that input on policy is expected from institutions and other key stakeholders and brought to the attention of NC-SARA.

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Appendix A

Why does SARA use the U.S. Department of Education's financial responsibility composite scores to assess the financial soundness of non-public institutions that seek to participate in SARA?

Students deserve assurance that SARA institutions from which they take courses and programs will remain in operation and not close due to financial problems. Distance education students likely have less information than campus-based students with which to evaluate an institution's viability; in most cases, they can't visit the campus, talk directly with institutional representatives, etc. While it is not possible to remove completely the risk of institutional closure, reasonable attempts to lessen that risk in regard to SARA institutions are desirable.

As a fundamental principle, SARA avoids developing new mechanisms and structures when sufficient ones already exist. That is why the initiative builds on the work of the "accountability triad" (the federal government, the states, and recognized accreditors) and the regional education compacts. Ideally, a financial assessment system for SARA would be uniform across the country, clear and readily understandable, already in place, well-regarded in the community, and reliable in evaluating whether an institution is in significant financial trouble and at risk of closure.

No current system meets all of those desirable qualities. The approach taken by the U.S. Department of Education has been in place for many years. It is applied across the country to all non-public institutions participating in federal Title IV programs, and it relies on the administrative capabilities of the Department, including the ability to investigate and audit. Unfortunately, it has been severely criticized by some as being based on outdated accounting approaches, inaccurately assessing the financial health of many institutions (i.e., identifying as financially troubled many institutions thought to be sound), and being unevenly applied.

Much of that criticism has come from the National Association of Independent Colleges and Universities (NAICU) and representatives of some of its member institutions. They have also criticized SARA for using the Department's scores to determine (in part) a non-public institution's eligibility for SARA. NAICU believes the Department's work in this area is seriously flawed, both in design and application.[14]

This issue was discussed at each step of the development of SARA. It was considered by the Presidents' Forum/Council of State Governments drafting team, the SARA development committees in each of the four regional compacts, the National Commission on the Regulation of Postsecondary Distance Education, and NC-SARA itself. Use of the Department's scores to determine (in part) a non-public institution's financial soundness for SARA purposes was affirmed at each step. The following paragraphs explain why.

Each SARA development group examined the question of whether there should be a financial soundness requirement at all; each group decided that there should be. Various alternatives were then considered. NAICU suggested that all institutions approved to participate in Title IV programs be allowed to participate in SARA, with no other financial expectations. The

[14] https://www.naicu.edu/docLib/20121119_NAICUFinan.Resp.FinalReport.pdf

overwhelming majority of each group involved in the development of SARA believed that standard would be too low to support the consumer protection goals of SARA.

The possibility of allowing each SARA state to set its own financial expectations was discussed; that approach was rejected because it would not yield uniform standards, therefore undermining reciprocity. The possibility of having SARA develop and carry out its own financial evaluation system was also considered; that was rejected because of the likely difficulty of reaching consensus, the delay and cost that developing a new system would require, and the fact that SARA would lack the necessary investigative and auditing authority and capacity.

After much discussion, each group involved in the development of SARA reached the conclusion that incorporation of the Department's system for assessing an institution's financial soundness, while flawed, offered the best available approach for SARA purposes.

SARA has acknowledged the shortcomings of the Department's system and the criticisms made of that system in two ways. First, SARA allows some institutional "wiggle room." An institution with a composite score of 1.0-1.49 has the opportunity to make the case to its home state that it is nevertheless sufficiently financially stable to justify state approval to participate in SARA. (The general threshold for the financial soundness requirement is 1.5.) Second, the regional compacts, the Commission on the Regulation of Postsecondary Distance Education, and NC-SARA have all recommended that the Department review its methodology for determining institution financial soundness.

Marshall A. Hill
Executive Director, NC-SARA
November 14, 2014

Appendix B

Interregional Guidelines for the Evaluation of Distance Education

Council of Regional Accrediting Commissions (C-RAC) (2011)

1. Online learning is appropriate to the institution's mission and purposes.

Analysis/Evidence: [15]

- The mission statement explains the role of online learning within the range of the institution's programs and services;
- Institutional and program statements of vision and values inform how the online learning environment is created and supported;
- As appropriate, the institution incorporates into its online learning programs methods of meeting the stated institutional goals for the student experience at the institution;
- The recruitment and admissions programs supporting the online learning courses and programs appropriately target the student populations to be served;
- The students enrolled in the institution's online learning courses and programs fit the admissions requirements for the students the institution intends to serve;
- Senior administrators and staff can articulate how online learning is consonant with the institution's mission and goals.

2. The institution's plans for developing, sustaining, and, if appropriate, expanding online learning offerings are integrated into its regular planning and evaluation processes.

Analysis/Evidence:

- Development and ownership of plans for online learning extend beyond the administrators directly responsible for it and the programs directly using it;
- Planning documents are explicit about any goals to increase numbers of programs provided through online learning courses and programs and/or numbers of students to be enrolled in them;
- Plans for online learning are linked effectively to budget and technology planning to ensure adequate support for current and future offerings;
- Plans for expanding online learning demonstrate the institution's capacity to assure an appropriate level of quality;
- The institution and its online learning programs have a track record of conducting needs analysis and of supporting programs.

[15] These bulleted points illustrate actions, processes and facts that institutions may use to demonstrate that they meet SARA requirements.

3. Online learning is incorporated into the institution's systems of governance and academic oversight.

Analysis/Evidence:

- The institution's faculty have a designated role in the design and implementation of its online learning offerings;
- The institution ensures the rigor of the offerings and the quality of the instruction;
- Approval of online courses and programs follows standard processes used in the college or university;
- Online learning courses and programs are evaluated on a periodic basis;
- Contractual relationships and arrangements with consortial partners, if any, are clear and guarantee that the institution can exercise appropriate responsibility for the academic quality of all online learning offerings provided under its name.

4. Curricula for the institution's online learning offerings are coherent, cohesive, and comparable in academic rigor to programs offered in traditional instructional formats.

Analysis/Evidence:

- The curricular goals and course objectives show that the institution or program has knowledge of the best uses of online learning in different disciplines and settings;
- Curricula delivered through online learning are benchmarked against on-ground courses and programs, if provided by the institution, or those provided by traditional institutions;
- The curriculum is coherent in its content and sequencing of courses and is effectively defined in easily available documents including course syllabi and program descriptions;
- Scheduling of online learning courses and programs provides students with a dependable pathway to ensure timely completion of degrees;
- The institution or program has established and enforces a policy on online learning course enrollments to ensure faculty capacity to work appropriately with students;
- Expectations for any required face-to-face, on-ground work (e.g., internships, specialized laboratory work) are stated clearly;
- Course design and delivery supports student-student and faculty-student interaction;
- Curriculum design and the course management system enable active faculty contribution to the learning environment;
- Course and program structures provide schedule and support known to be effective in helping online learning students persist and succeed.

5. The institution evaluates the effectiveness of its online learning offerings, including the extent to which the online learning goals are achieved, and uses the results of its evaluations to enhance the attainment of the goals.

Analysis/Evidence:

- Assessment of student learning follows processes used in onsite courses or programs and/or reflects good practice in assessment methods;
- Student course evaluations are routinely taken and an analysis of them

contributes to strategies for course improvements;
- Evaluation strategies ensure effective communication between faculty members who design curriculum, faculty members who interact with students, and faculty members who evaluate student learning;
- The institution regularly evaluates the effectiveness of the academic and support services provided to students in online courses and uses the results for improvement;
- The institution demonstrates the appropriate use of technology to support its assessment strategies;
- The institution documents its successes in implementing changes informed by its programs of assessment and evaluation;
- The institution provides examples of student work and student interactions among themselves and with faculty;
- The institution sets appropriate goals for the retention/persistence of students using online learning, assesses its achievement of these goals, and uses the results for improvement.

6. Faculty responsible for delivering the online learning curricula and evaluating the students' success in achieving the online learning goals are appropriately qualified and effectively supported.

Analysis/Evidence:

- Online learning faculties are carefully selected, appropriately trained, frequently evaluated, and are marked by an acceptable level of turnover;
- The institution's training program for online learning faculty is periodic, incorporates tested good practices in online learning pedagogy, and ensures competency with the range of software products used by the institution;
- Faculty are proficient and effectively supported in using the course management system; The office or persons responsible for online learning training programs are clearly identified and have the competencies to accomplish the tasks, including knowledge of the specialized resources and technical support available to support course development and delivery;
- Faculty members engaged in online learning share in the mission and goals of the institution and its programs and are provided the opportunities to contribute to the broader activities of the institution;
- Students express satisfaction with the quality of the instruction provided by online learning faculty members.

7. The institution provides effective student and academic services to support students enrolled in online learning offerings.

Analysis/Evidence:

- The institution's admissions program for online learning provides good web-based information to students about the nature of the online learning environment, and assists them in determining if they possess the skills important to success in online learning;
- The institution provides an online learning orientation program;
- The institution provides support services to students in formats appropriate to the delivery of the online learning program;
- Students in online learning programs have adequate access to student services,

including financial aid, course registration, and career and placement counseling;
- Students in online learning programs have ready access to 24/7 tech support;
- Students using online learning have adequate access to learning resources, including library, information resources, laboratories, and equipment and tracking systems;
- Students using online learning demonstrate proficiency in the use of electronic forms of learning resources;
- Student complaint processes are clearly defined and can be used electronically;
- Publications and advertising for online learning programs are accurate and contain necessary information such as program goals, requirements, academic calendar, and faculty;
- Students are provided with reasonable and cost-effective ways to participate in the institution's system of student authentication.

8. The institution provides sufficient resources to support and, if appropriate, expand its online learning offerings.

Analysis/Evidence:

- The institution prepares a multi-year budget for online learning that includes resources for assessment of program demand, marketing, appropriate levels of faculty and staff, faculty and staff development, library and information resources, and technology infrastructure;
- The institution provides evidence of a multi-year technology plan that addresses its goals for online learning and includes provision for a robust and scalable technical infrastructure.

9. The institution assures the integrity of its online offerings.

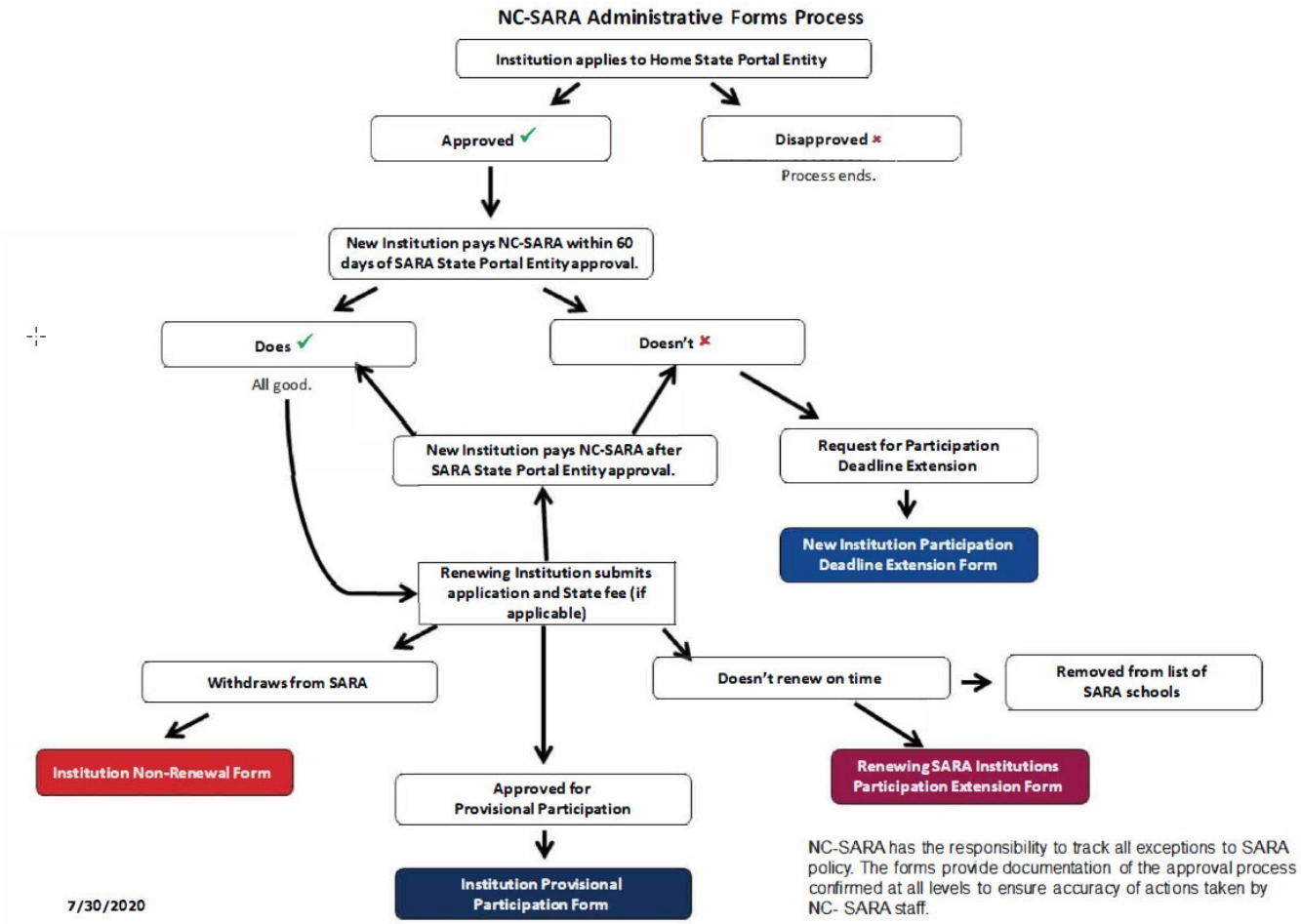
Analysis/Evidence:

- The institution has in place effective procedures through which to ensure that the student who registers in a distance education course or program is the same student who participates in and completes the course or program and receives the academic credit. The institution makes clear in writing that these processes protect student privacy and notifies students at the time of registration or enrollment of any projected additional costs associated with the verification procedures. (Note: This is a federal requirement. All institutions that offer distance education programs must demonstrate compliance with this requirement.);
- The institution's policies on academic integrity include explicit references to online learning;
- Issues of academic integrity are discussed during the orientation for online students;
- Training for faculty members engaged in online learning includes consideration of issues of academic integrity, including ways to reduce cheating.

Appendix C

NC-SARA Administrative Forms

These forms are available on the NC-SARA website, under Resources at https://www.nc-sara.org/resources



Appendix D

Unified State Authorization Reciprocity Agreement

As approved December 1, 2015

Due to the size, this document is not included as an attachment but is available on the NC-SARA website at https://www.nc-sara.org/resources/policies