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**Adjourn**
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Please note that the current term for each Board member ends after the final board meeting of the specified year next to each name. Compact presidents are not term limited.

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Welcome and Introductions — Teresa Lubbers, Chair

Action Item: ☐ Yes ☒ No
Agenda Item I (ACTION): Approval of minutes of the May 5-6, 2021 meeting

Action Item: ☒ Yes ☐ No

The minutes will be provided separately.
Agenda Item II: Update on NC-SARA Progress and Projects

Action Item: ☐ Yes ☒ No


Lori Williams will provide an overall assessment. Regional compacts will focus on SARA developments within their regions.

a) Lori Williams, National Council for State Authorization Reciprocity Agreements (NC-SARA)
   a. New Staff Introductions
   b. Update on Strategic Plan
   c. Communications and Educational Programming Update (Appendix B)
   d. Information Technology & Website Update (Appendix C)
   e. Research & Data and SARA State Portal Entities (SPE) Activities Update (Appendix D)
   f. Consumer Protection Impacting SARA Update
   g. Student and Institution Activities Update (Appendix E)
Agenda Item III: Update from Regional Compacts on SARA

Action Item:  □ Yes  ☒ No

a) Susan Heegaard, Midwestern Higher Education Compact (MHEC)
b) Michael Thomas, New England Board of Higher Education (NEBHE)
c) Stephen Pruitt, Southern Regional Education Board (SREB)
d) Demarée Michelau, Western Interstate Commission for Higher Education (WICHE)
Agenda Item IV (ACTION): Report and recommendations of the Finance Committee
- Leroy Wade, Treasurer

Action Item: ☒ Yes ☐ No

a) (ACTION) Approval of the NC-SARA Institution fees for 2022-24

**Background:**
Fees for an institution to participate in SARA usually consist of two parts. The first is a required SARA fee paid to NC-SARA. This annual fee is based on an institution’s total full-time equivalent (FTE) enrollment as submitted to the federal Integrated Postsecondary Education Data System (IPEDS) each fall as 12-month FTE enrollment.

In addition, states have the option of charging SARA participant institutions a fee to cover the state’s costs in administering SARA. (SARA Manual, Section 3.4) Not all states charge these fees and while some states mirror NC-SARA fees, others vary. Information about state fees can be found in Appendix G.

Current NC-SARA fees are as follows:

<table>
<thead>
<tr>
<th>Enrolled FTE</th>
<th>Annual Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 2,500..........</td>
<td>$2,000</td>
</tr>
<tr>
<td>2,500-9,999..........</td>
<td>$4,000</td>
</tr>
<tr>
<td>10,000 or more......</td>
<td>$6,000</td>
</tr>
</tbody>
</table>

Those fees have been in place since SARA states began enrolling institutions in early 2014. NC-SARA’s fees are reconsidered and approved by the NC-SARA Board every two years.

**Recommendation:** Continue NC-SARA institutional participation fees at the current level for the next two years (July 1, 2022 - June 30, 2024). It is important to note that some states mirror SARA fees for their own state authorization fees, and so any change would have a wider impact than just to NC-SARA.

b) FY 2021 Finance Report
   The finance report will be provided under separate cover.

c) Presentation of NC-SARA FY 2021 Financial Audit
   Presented by Kundinger, Corder and Engle

FY 2021 covered the period July 1, 2020 through June 30, 2021. The FY2021 audit was carried out this year by Kundinger, Corder and Engle (KCE), a Denver based CPA firm that provides audit, tax and consulting services exclusively to not-for-profits in the Denver Metro and surrounding areas. This firm was selected following an RFP process that resulted in three satisfactory candidates; KCE was selected based on a superior proposal.
KCE audited the financial statements prepared by NC-SARA’s Finance Director, Ashley Rasmussen and Tandem CPAs, NC-SARA’s external accounting firm, located in Louisville, CO. KCE staff worked closely with Ashley Rasmussen and Tandem CPAs, and did extensive field work virtually and digitally with NC-SARA staff in July, August and September 2021. The FY 2021 audit is the sixth audit of NC-SARA’s annual financial statements. KCE considers its audit a "draft" audit until it is formally received by the client.

The audit report will be provided separately.
Agenda Item V (ACTION): Report and recommendations for the Executive Committee  
– Teresa Lubbers, Chair

Action Item: ☒ Yes ☐ No

a. **(ACTION) NC-SARA FY 2021 audit report**

**Recommendation**

Teresa Lubbers, Chair, will present the recommendation of the Executive Committee.

b. **(ACTION) Modification of the NC-SARA Bylaws**

**Recommendation**

Suggested bylaws revisions are included in redline along with rationales in the bylaws document found in supplementary materials. These revisions are based primarily on discussion regarding the need for bylaws changes at the Fall 2020 Board Meeting. Teresa Lubbers, Chair, will present the recommendation of the Executive Committee.

The NC-SARA Bylaws will be provided separately.

c. **(ACTION) Nominations for two-year terms to Executive Committee (returning and new members)**

NC-SARA Bylaws provide that the Executive Committee shall: "Solicit nominations for NC-SARA officers, Executive Committee and Finance Committee members from the full Board, and recommend candidates to the Board for its consideration and election.... Executive Committee members shall serve a two-year term, ending at the conclusion of the final NC-SARA meeting of the last calendar year of their specified term. Executive Committee members shall have an option to serve an additional two-year term, with the approval of the NC-SARA Board." The current term for members of the Executive Committee ends at the conclusion of the fall 2021 NC-SARA meeting.

**Recommendation**

The Executive Committee nominates the following Executive Committee members to a two-year term from Fall 2021 to through Fall 2023:

a) Chris Bustamante (re-election)
b) Larry Tremblay (re-election)
c) Art Coleman (election)
d) Peter Smith (election)
d. **ACTION** Nominations of Regional Compact Presidents to serve on the Executive Committee

NC-SARA Bylaws provide that “There shall be eight members of the Executive Committee, all of whom shall be currently serving NC-SARA members and two of whom shall be the president of a participating regional compact (Midwestern Higher Education Compact, New England Board of Higher Education, Southern Regional Education Board, Western Interstate Commission for Higher Education). The four regional compact presidents shall choose which two of their members shall serve on the Executive Committee, and those designated members shall serve on the Committee without term limits.” The four presidents have agreed to rotate service on the Committee and the two current presidents, Stephen Pruitt and Susan Heegaard made their recommendations to the Executive Committee.

**Recommendation**

The Executive Committee nominates the following Regional Compact Presidents to serve on the Executive Committee:

- Michael Thomas (election)
- Stephen Pruitt (election)


\[ e. \text{**ACTION** Nominations of members of the Finance Committee}\]

NC-SARA Bylaws provide that "Members of the Finance Committee shall be elected by NC-SARA and shall serve two-year terms. Finance Committee members shall have an option to serve an additional two-year term, with the approval of the NC-SARA Board."

**Recommendation**

The Executive Committee nominates the following Finance Committee members to a two-year term from Fall 2021 to through Fall 2023:

- Laurie Dodge (election)
- John Cavanaugh (election)

f. **ACTION** Nominations of Regional Compact Presidents to serve on the Finance Committee

The Executive Committee nominates the following Regional Compact President to serve on the Finance Committee:

- Susan Heegaard (election)
g. (ACTION) Nominations of Officers

NC-SARA Bylaws provide that “NC-SARA shall have three officers: Chair, Vice Chair, and Treasurer. Officers shall serve a maximum of two, two-year terms, ending at the conclusion of the final NC-SARA meeting of the last calendar year of their specified term.” Teresa Lubbers is stepping down as Chair, leaving an opening.

Recommendation

The Executive Committee nominates the following slate of officers:

a. Chair: Ed Ray (election)
b. Vice Chair: Rob Anderson (election)
c. Treasurer: Leroy Wade (re-election)
d. Secretary: Lori Williams (re-election – non-voting member)

h. (ACTION) Nomination of Individuals to be elected to three-year terms to the NC-SARA Board, Fall 2021 through Fall 2024.

NC-SARA Bylaws provide that “NC-SARA shall be governed by a Board of Directors of no fewer than 17 or more than 24 individual Board members.” The Bylaws also state that “[t]he Executive Committee of the Board shall consider nominees and recommend candidates to the Board for election. Prospective NC-SARA members may self-nominate or be nominated by others to serve. Board members shall be chosen from those nominated through a majority vote of the Board.” In addition, with respect to selection criteria, the Bylaws state that “Though the board shall represent a diverse set of perspectives and interests, membership shall not be driven by numerical representation or delegated interests. Instead, members shall be selected based on their knowledge of the field, ability to work across multiple perspectives, and commitment to the collaborative work and success of SARA and NC-SARA.” The Executive Committee of the Board has reviewed the nominations carefully for diversity of experience, leadership skills, geography, race, and gender among other factors.

Recommendation

a. Barbara Gellman-Danley (election)
b. Eduardo Ochoa (election)
c. Elise Scanlon (election)
d. Sarah Armstrong Tucker (election)
e. TBD (election)

i. (ACTION) Statement Regarding the Unified Agreement

Recommendation
Teresa Lubbers, Chair, will present the recommendation of the Executive Committee. (See Appendix H)

j. Operational Audit Progress Update – Michael Brainard, Brainard Strategy

k. Discussion of tabled policy agenda items
   a. 21st Century Distance Education Guidelines – Leah Matthews, Pat O’Brien, Belle Wheelan

21st Century Guidelines for Accreditors:
A Briefing Memo for the NC-SARA Board
September 24, 2021

This memo provides an overview and status update on the 21st Century Guidelines for the NC-SARA Board as of September 24, 2021. Some of this information was shared in advance of the September 9, 2021 pre-board policy meeting; the Summary of Feedback, however, has been expanded. The proposed 21st Century Guidelines are available in the Appendix. (See Appendix I)

BACKGROUND INFORMATION

When SARA was first formed, C-RAC’s 2011 Interregional Guidelines for the Evaluation of Distance Education (2011 C-RAC Guidelines) were the primary guidelines for quality distance education as no other national standards existed. States wanted assurances, through their SARA membership, that they would have the leverage afforded by the 2011 C-RAC Guidelines to investigate participating institutions that might be in violation of SARA policy, and/or to work with institutions’ accreditors to support quality assurance. Therefore, the 2011 C-RAC Guidelines became an important aspect of SARA – in policy and process – for helping assure student consumer protections for SARA state members.

Since SARA’s inception, SARA State Portal Entity staff have used the 2011 C-RAC Guidelines to request assurance from participating institutions that they will abide by the Guidelines to ensure distance education quality. Then, as now, there is an expectation that the new 21st Century Guidelines will serve the same purpose, should the NC-SARA Board approve their use in SARA policy.

BOARD WORKING GROUP

- The Executive Committee of the NC-SARA Board has called for a Board Working Group to focus on the 21st Century Guidelines; the members of the working group and its charge are in the process of being determined by the board chair.

- The Working Group announcement – including its charge and members – will be posted publicly on the NC-SARA website after the October board meeting.
AN UPDATE: ACCREDITORS’ USE OF THE C-RAC GUIDELINES

Neither the 2011 C-RAC Guidelines nor the 21st Century Guidelines are accreditation standards; each accreditor addresses the review of distance education through their own accreditation processes and standards. However, the 2011 C-RAC Guidelines, and now the 21st Century Guidelines, function as a point of reference for accreditors.

Since C-RAC retired the 2011 Guidelines and adopted the 21st Century Guidelines in March 2021, C-RAC’s accrediting commissions have responded as follows:

- The Northwest Commission on Colleges and Universities (NWCCU): NWCCUs Distance Education Policy was revised and adopted by its Commission in April 2021.

- The New England Commission of Higher Education (NECHE): NECHE’s Guidelines for Preparing Substantive Change Reports on the Establishment of Academic Programming Offered Through Distance Education and their statement on the 21st Century Distance Education Guidelines was posted in May 2021, asking that “institutions now use these instead of the C-RAC Guidelines in their reports.”

- The Higher Learning Commission (HLC): HLC has posted “a statement of guidelines as a resource for its member institutions and its Peer Corps” on its website, HERE, along with the statement that “HLC has independently adopted its own standards, policies, and procedures for evaluating distance education.”

- The Southern Association of Colleges and Schools Commission on Colleges (SACSCOC): SACSCOC has reviewed the Guidelines and has stated that it believes they have been incorporated in the policies and procedures related to their review of distance learning programs provided by their member institutions.

- The Middle States Commission on Higher Education (MSCHE): MSCHE has invited President Williams to speak about the Guidelines at a webinar on October 12, 2021.

NC-SARA will continue to monitor and share with the board, member states, and participating institutions the ways in which accreditors plan to incorporate the 21st Century Guidelines into their accreditation processes and reviews of distance education.

PHASES OF DEVELOPMENT

Three Phases characterize NC-SARA’s work regarding the 21st Century Guidelines.

Phase 1: Developing the Guidelines

This first collection of activities is completed and included the following:

- In the May 2020 meeting, the NC-SARA Board was briefed on the initiative. An update was provided to the board in the October 2020 meeting.
● In Spring 2020, NC-SARA commissioned NCHEMS to first study the use of the 2011 C-RAC Guidelines and then, following C-RAC’s agreement that it was time to create new guidelines, to develop the 21st Century Guidelines.

● Seven NC-SARA Board members were involved in the development of the new Guidelines:
  - Chris Bustamante
  - Leah Matthews
  - Pam Quinn
  - Peter Smith
  - Rob Anderson
  - Laurie Dodge
  - Belle Wheelan

● In March 2021, C-RAC retired the 2011 Guidelines and shared a statement about the 21st Century Guidelines on its website.

● Accreditors began to adopt use of the new guidelines in various ways. (See above)

● There was a presentation and status update at the May 2021 NC-SARA Board meeting.

● At the May 2021 NC-SARA Board meeting, the board voted to table the policy recommendation regarding substituting the new Guidelines for the previous 2011 Guidelines until the Fall 2021 Board meeting.

● The board also recommended at that time that NC-SARA staff invite its states, institutions, and members of the public to share comments about the 21st Century Guidelines prior to bringing the recommended modifications back to the board at the Fall 2021 Board meeting.

Phase 2: Preparation and SARA Policy Development

Phase 2 is underway, including the following activities:

● Recognizing the importance of a 360-degree review – in which all SARA constituents have been heard – NC-SARA announced a 2-month open comment period, from June 1 – August 2, 2021. NC-SARA has now completed collecting feedback directly from the public and from SARA-participating institutions; SARA member states and regional steering committees shared their feedback through the regional compacts. A thematic summary of the feedback is shared below.

● NC-SARA has also completed or is working on the following:

  o Publicly shared information and/or FAQs about the 21st Century Guidelines three times: April 6, 2021, April 30, 2021, and then updated information and FAQs on June 1, 2021. The most recent of these memos is available HERE.

  o Held a public informational webinar on June 29, 2021, with more than 600 registered and more than 400 in attendance. Leroy Wade, SARA SPE and NC-SARA Board member, spoke to the importance of the C-RAC Guidelines in SARA policy from a state’s perspective; Laurie Dodge, NC-SARA Board member, spoke to the importance of updating the C-RAC guidelines to better reflect
the state of distance education today and the needs of students for quality distance education programs and improved quality assurance.

- Provided updates to regional compacts, regional steering committees, states, institutions, as well as external groups (e.g., NASASPS Distance Education Committee).

- Currently developing an educationally-focused implementation plan should the board vote to include the 21st Century Guidelines and remove the 2011 C-RAC Guidelines in SARA policy. See Phase Three below.

**Phase Three: Engagement, Education, Implementation**

NC-SARA staff recommends that the 21st Century Distance Education Working Group focus on engagement, outreach, and education to both address the scope of roles and responsibilities of accreditors and State Portal Entities, and support the implementation of the 21st Century Guidelines should the board vote to include them in SARA policy, including the following:

- A convening or series of convenings to bring together accreditors and SARA State Portal Entities to discuss quality assurance in distance education and identify bridgways for mutual support for this critical need.
- The identification and broad dissemination of exemplar institutional practices and case studies to illustrate how the 21st Century Guidelines are met in practice.
- Recognition of the lack of detailed and clear instruction on how SPEs were to have made use of the 2011 Guidelines that have been part of SARA policy and part of the agreements all institutions sign upon initial and renewal participation in SARA.
- Educational programming for SARA SPEs and institutions in the form of workshops, webinars, online learning modules, tools and job-aides, etc. to support effective implementation for SARA purposes.
- Continued collaboration with and outreach to C-RAC, accreditors, and CHEA.
- Continued strategic partnerships with other organizations in distance education leadership organizations, including Quality Matters, OLC, UPCEA, USDLA, WCET/SAN, and others, to learn about and promote quality distance education.

The characteristics of quality distance education as represented in the 21st Century Guidelines must be shared and understood among all constituents in the nation’s distance education ecosystem; NC-SARA staff believe firmly in the need to bring together the quality assurance triad to help improve quality assurance in distance education, which continues to be a cornerstone element of NC-SARA’s mission.

**OVERVIEW OF FEEDBACK RECEIVED**

During the 2-month open comment period between June 2 – August 2, 2021, feedback was received from:

- States and regional steering committees, through the regional compacts.
- 13 institutions, through NC-SARA (survey and info@)
- Other organizations:
Prior to the 2-month open comment period, leading into the May 2021 Board meeting, feedback was received from:

- States and regional steering committees, through the regional compacts.
- 114 institutions, through NC-SARA’s survey asking about implementation timeline; several comments were offered as well, included in the thematic summary below.

All original input summarized thematically below is available to board members in the supplementary materials provided in preparation for the October 2021 board meeting.

**Summary of Themes**

The following is a summary of themes from feedback gathered during the 2-month comment period, June 1-August 2, 2021, as well as a carry-over of feedback from the period of time leading into the May 2021 Board meeting, during which the vote to incorporate the 21st Century Guidelines into SARA policy was tabled. The feedback falls into four primary categories: 1) Need; 2) the Guidelines themselves; 3) Implementation; and 4) Process.

1. **NEED**: Feedback on the need for the 21st Century Guidelines.
   - The 21st Century Guidelines are a welcome and much-needed revision to reflect the developments in distance education since 2011 (they are more "contemporary") as well as students’ needs for quality distance education.
   - The 21st Century Guidelines are not sufficient to perform adequate enforcement of student consumer protections across states.
   - For SARA specifically:
     - Questions about why the 2011 C-RAC Guidelines are included in SARA policy and how they are used for SARA purposes (and if and how the 21st Century Guidelines would be used similarly).
     - Concern that the 21st Century Guidelines reflect an "encroachment" of NC-SARA.
     - Concern regarding the relationship of SARA and the triad, and respective roles and responsibilities of all of these bodies.
     - Concern re: redundancy of accreditation procedures represented by the use of the 21st Century Guidelines for SARA purposes.

   - The guidelines are far more streamlined, comprehensive, specific, and less prescriptive than the 2011 C-RAC Guidelines, thus allowing for institutional differences in approach.
   - Need to clarify and further explain certain elements and descriptors; level of review expected (at category or descriptor level).
• Concern about certain elements and descriptors being included (e.g., professional licensure disclosures).
• Suggestions for adding elements and descriptors to make them more comprehensive, raise the bar for quality, or be more specific and prescriptive.
• Item #23 of the guidelines about SARA compliance purposes is confusing; recommendations to remove, revise, or clarify purpose and compliance measures.

3. IMPLEMENTATION: Feedback on implementation needs.
• NC-SARA should incorporate significantly more state involvement in the development and implementation of the guidelines.
• NC-SARA should work with accreditors to agree on consistent adoption processes, reasonable adoption timelines, and to clarify areas of responsibility. Confusion among accreditors’ and states roles and authority needs to be addressed and shared broadly.
• States and institutions need significant communication and guidance as to what would be required for institutions to maintain compliance for SARA purposes: exemplars, tools, detailed guidance, and training.
• SPEs need clarification and guidance in their use specifically around complaints; eligibility confirmation versus renewals.
• Unmanageable burden on SPEs to complete verification of institutional adherence to the guidelines; recommendation that SPEs can accept accreditation status as evidence of compliance with the guidelines.
• Concern about implementation time and administrative resources for overburdened institutions and states (especially given COVID-19).
• Consider the implementation timeline in alignment with academic / catalog years; resources; accreditation timelines.

4. PROCESS: Feedback on the process of developing the Guidelines.
• States’, regional compacts’, and consumer advocate groups’ voices and perspectives were underrepresented or absent in the development of the 21st Century Guidelines.
• Recommendations on adoption:
  1) adopt the guidelines now and use the implementation timeline to detail the transition plan and begin implementation in 2 years;
  2) do not adopt the guidelines now and revisit their inclusion and use after questions and concerns are addressed.
• NC-SARA should create opportunities for cross-triad conversations and collaborations; advocate with accreditors for a standardized approach to their use of the guidelines.
• The guidelines represent a profound transition regarding SARA’s purpose, which requires more substantial discussion among constituents.

All original input from all stakeholder groups will be shared with the full board in advance of the October 2021 board meeting.
b. Revisions to Sections 8.2 and 8.3 of the SARA Policy Manual

Section 8.2 and 8.3

Removal of Section 8.3 to combine with Section 8.2 to ensure all policy modifications are treated the same. This change will remove differences in types of policy modifications such that all are considered with openness and transparency.

Stakeholder input is summarized for items related to Section 8.2 and 8.3 and the Benefits, Risks and Challenges of each suggestion is noted. To aid the Executive Committee’s recommendation that the board discuss and deliberate further regarding these modifications, the following information is provided.

Excerpts from the documents submitted are shared here. The full original feedback from all stakeholders can be found by referenced numbers in board supplemental material.

Recommended Policy Change Modifications
Removal of Section 8.3 to combine with Section 8.2 is proposed to ensure all policy modifications are treated the same. This change will remove differences in types of policy modifications such that all are considered with openness and transparency.

Background: This change removes section 8.3 to combine with 8.2 to remove distinctions between types of policy changes. The subjectivity associated with the previous distinctions made between types of changes has proved problematic. Without this difference, all modifications are treated the same. This modification was proposed by NC-SARA staff with input from regional compact staff, SARA State Portal Entity staff and other stakeholders. A section describing process, which is not usually included in policy, was recommended by compacts to remain.

Summary of Stakeholder Input Received by NC-SARA

SARA State Portal Entities (SPEs)
Feedback was submitted through their regional steering committees and regional compacts (see section below).

Regional Compacts
Feedback was submitted from all four regions.

Summary of Input Received

The compacts want to ensure that all of their feedback will go before the board, without being edited or summarized by NC-SARA staff. Individual documents submitted by each of the compacts can be found in the board supplemental materials.
1. MHEC – Document #1 and #2

"Suspend any proposed modifications to the SARA Policy Manual after May of 2022 until a new process is adopted by all relevant parties. Recognizing that the SARA policy revision process is currently in a state of iteration and flux allow for additional time. The changes proposed in the May 2021 Board Book for Sections 8.2 Minor Modifications and 8.3 Significant Modifications need additional clarification."

"Instead, we recommend that the NC-SARA board convene a work group with members representing SPEs, regional steering committee members, regional compact staff, participating institutions and NC-SARA staff to develop an open and transparent draft process for making modifications to the SARA Policy Manual that are consistent with the relevant area of the Unified Agreement. The proposal developed by the working group should be presented to all SARA member states and regional compacts for comment and approval before being brought before the Board for a vote to amend the SARA policy manual"

[MHEC] "Rationale: This a membership organization composed of states and institutions. A more inclusive process should be created that invites the views of its members and participants. We would like to see the policy modification process align more closely with the Unified Agreement and roles pertaining to policy modifications that are brought to the board. The May 2021 proposed revision to Section 8.2 and 8.3 does not accurately reflect roles as outlined in the Unified Agreement."

Benefits, Risks and Challenges

- **Benefits**
  - Suspending modifications will ensure additional discussion with all stakeholders.

- **Risks**
  - Postponing all policy modifications could open NC-SARA to policies that are in conflict with federal law.
  - Some policy modifications are necessary sooner than others to ensure proper oversight.
  - Not changing this policy section (differentiating between minor and substantive modifications) will continue to describe distinctions in policy types that are no longer made.
  - A process for policy review and revision has already been developed and agreed upon collaboratively by the four regional compact directors with NC-SARA staff, recently expanded to an entire year over twice annually, which includes agreed-upon time frames for eliciting policy input from SPEs and institutions, and has been widely communicated to all stakeholders.
  - The role of NC-SARA, the national office staff and president, per the Unified Agreement, is to harmonize differences in recommendations among the four regional compacts to provide consistency. This recommendation removes this role.

- **Challenges**
  - The Unified Agreement is a foundational document. The SARA Policy Manual reflects current policy.

2. NEBHE – Document #1

"While no specific concerns from the NEBHE region were expressed regarding the proposed changes to 8.2 and 8.3, our region is committed to ensuring that there is continued transparency and opportunity for collaboration between all key stakeholders who participate in the SARA agreement, including and not limited to states, members of steering committees, and regional compacts more generally. The proposed changes to sections 8.2
and 8.3, as currently written, limit the authority originally granted to states, members of steering committees, and regional compacts to bring proposed policy changes directly to NC-SARA staff and the NC-SARA Board."

"We understand that from the earliest stages of the SARA agreement there has always been some difficulty in determining what constitutes a minor versus a major policy revision, as well as how to best reflect the viewpoint of each stakeholder. However, we generally support the fullest opportunity of key stakeholders to address major and minor policy considerations to the NC-SARA Board, staff, and regional compacts. We want to maximize the opportunities for our states and SPEs to be able to raise matters both large and small and be assured that they receive adequate attention from the NC-SARA Board."

"NEBHE acknowledges and appreciates NC-SARA’s efforts to make the policy revision cycle more transparent and accessible. Our region has an acute interest in continuing to collaborate to make the SARA policy revision cycle even more structured and more clear. This is why it is imperative to allow all key stakeholders to bring policy issues and suggestions to the attention of the NC-SARA Board whenever they feel it is most appropriate to do so, which is a freedom limited by the current changes proposed to sections 8.2 and 8.3. With that said, we agree with our regional counterparts that there should be continued discussion about this particular item before it is voted upon by the NC-SARA Board to make sure that NC-SARA can be fully aware of the concerns that our region has in making this policy change."

Benefits, Risks and Challenges

● Benefits
  o All stakeholders should be able to move things to the NC-SARA Board (through the Executive Committee) so that all voices are heard.

● Risks
  o Ensuring that all stakeholders’ feedback is shared in a manageable way.
  o Effective sharing of all comments by all partners as designated by policy and process.
  o Limiting the stakeholders’ voices to compacts, regional steering committees and SPEs.
  o Not changing this policy section (differentiating between minor and substantive modifications) will continue to describe distinctions in policy types that are no longer made.
  o A process for policy review and revision has already been developed and agreed upon collaboratively by the four regional compact directors with NC-SARA staff, recently expanded to an entire year over twice annually, which includes agreed-upon time frames for eliciting policy input from SPEs and institutions, and has been widely communicated to all stakeholders.
  o The role of NC-SARA, the national office staff and president, per the Unified Agreement, is to harmonize differences in recommendations among the four regional compacts to provide consistency. This recommendation removes this role.

● Challenges
  o Ensuring that all stakeholders’ feedback is shared in a manageable way.

3. SREB – Document #1

"Per the Unified Agreement, the compacts represent the needs, interests and concerns of its respective states and institutions in the deliberations and decision-making of the National Council for State Authorization Reciprocity Agreements (NC-SARA). NC-SARA, however, exists to coordinate the SARA work of the regional compacts. If the current language expressed in Section 8.3 is removed, the compacts will be disenfranchised."
"The new proposed language in Section 8.3 states there will be broad consultation with "key stakeholders", yet the language does not define who those key stakeholders are. Does NC-SARA consider the compacts as "key" stakeholders? If so, the proposed language should clearly and unequivocally define "key" stakeholders, which would include the compacts."

"Given the aforementioned reasons, the S-SARA RSC is concerned that removal of 8.3 no longer assures that the board will see the recommendations that compacts send forward, thereby marginalizing the voice of the states and their respective institutions. Therefore, the verbiage of section 8.3 must remain in policy to assure that the compacts have a mechanism to send forth policy recommendations."

"Additionally, there are some members of the S-SARA RSC that support the proposal to amend Sections 8.2 and 8.3 as submitted by the WICHE-SARA RSC. They feel all four (4) regional steering committees, and therefore the compacts, should come together and work with each other and NC-SARA to develop policy creation protocols that are transparent and collaborative."

Benefits, Risks and Challenges

● Benefits
  o All four compacts work together to present one set of policy modifications.

● Risks
  o Ensuring that all stakeholders’ feedback is shared in a manageable way.
  o Effective sharing of all comments by all partners as designated by policy and process.
  o Limiting the stakeholders’ voices to compacts, regional steering committees and SPEs.
  o Not changing this policy section (differentiating between minor and substantive modifications) will continue to describe distinctions in policy types that are no longer made.
  o A process for policy review and revision has already been developed and agreed upon collaboratively by the four regional compact directors with NC-SARA staff, recently expanded to an entire year over twice annually, which includes agreed-upon time frames for eliciting policy input from SPEs and institutions, and has been widely communicated to all stakeholders.
  o The role of NC-SARA, the national office staff and president, per the Unified Agreement, is to harmonize differences in recommendations among the four regional compacts to provide consistency. This recommendation removes this role.

● Challenges
  o The Unified Agreement is a foundational document. The SARA Policy Manual reflects current policy.
  o Ensuring that all stakeholders’ feedback is shared in a manageable way.

4. WICHE – Documents # 1 and #2

WICHE desires a larger voice in policy modification process: "... recent proposed amendments to Sections 8.2 and 8.3 would further diminish the ability of regional compacts to assert a voice in the policy modification process. For these reasons, it is appropriate for regional compacts to work in concert with each other and NC-SARA to develop a policy revision process that reflects the principles of the Unified Agreement and that will modify Sections 8.2 and 8.3 of the SARA Manual." [WICHE #1]
"We urge NC-SARA to either withdraw this proposed amendment or affirm its previous commitment to maintain the language in Section 8.3 preserving the ability of regional compacts to bring policy proposals before the Board. Additionally, we strongly recommend that NC-SARA approach the policy review process in a manner that is consistent with the Unified Agreement by ensuring that states and regional compacts have a seat at the table in conversations affecting future policy decisions." [WICHE #2]

Benefits, Risks and Challenges

● Benefits
  o All four compacts work together to present one set of policy modifications.

● Risks
  o Ensuring that all stakeholders’ feedback is shared in a manageable way.
  o Effective sharing of all comments by all partners as designated by policy and process.
  o Limiting the stakeholders’ voices to compacts, regional steering committees and SPEs.
  o Not changing this policy section (differentiating between minor and substantive modifications) will continue to describe distinctions in policy types that are no longer made.
  o A process for policy review and revision has already been developed and agreed upon collaboratively by the four regional compact directors with NC-SARA staff, recently expanded to an entire year over twice annually, which includes agreed-upon time frames for eliciting policy input from SPEs and institutions, and has been widely communicated to all stakeholders.
  o The role of NC-SARA, the national office staff and president, per the Unified Agreement, is to harmonize differences in recommendations among the four regional compacts to provide consistency. This recommendation removes this role.

● Challenges
  o The Unified Agreement is a foundational document. The SARA Policy Manual reflects current policy.
  o Ensuring that all stakeholders’ feedback is shared in a manageable way.

Institutions
Feedback was received from eight institutions
Summary of Input Received – Eight institutions from one state submitted similar feedback.
"Sections 8.2 Minor Modifications and 8.3 Significant Modifications of the SARA policy manual be amended to include a specific role for institutions of higher education to participate in the modification of NC-SARA policies. As it is currently written, there is no specific role for institutions who bear the responsibilities for and costs of manual revisions. Further, we request that the terms such as "minor modification," “significant modification” and “broad consultation with stakeholders” be defined."

Benefits, Risks and Challenges

● Benefits
  o Fortunately, institutions do participate in the modification of NC-SARA policy by providing feedback as seen above.
  o By combining these two sections, there is no longer a distinction between minor and significant thus no need for these terms to be defined.

● Risks
Not changing this policy section (differentiating between minor and substantive modifications) will continue to describe distinctions in policy types that are no longer made.

- Challenges
  - Ensuring that all stakeholders understand the process to provide feedback.

Public – NC-SARA did not seek input from the public on this modification given that when it was tabled there was largely consensus on merging Sections 8.2 and 8.3 to have all policy changes go to the board for review.

Section 8.2 and 8.3 Modifications

*Original proposed, tabled language*

Section 8.2 & 8.3 - remove section 8.3 to combine with 8.2 to ensure all modifications are treated the same. This modification was proposed by NC-SARA staff with input from regional compact staff, SARA State Portal Entity staff and other stakeholders.

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 State Portal Entity (SPEs) portal entity directors in SARA member states;
   - SARA directors in the Regional compacts;
   - Regional SARA regional steering committees; or
   - The President or staff of the National Council for State Authorization Reciprocity Agreements (NC-SARA).

Persons making such requests should provide a rationale supporting their request. Such request 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 the regional compact’s SARA steering committee, the President at earliest opportunity shall share that request on the agenda of the NC-SARA Executive Committee of the Board for its consideration, or if necessary, make other arrangement for Board consideration.

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 SARA State Portal Entity (SPEs) portal entity directors, regional compacts and NC-SARA staff. The NC-SARA President and NC-SARA staff shall work with regional directors compacts to develop and/or propose responses. As appropriate, that process may include consultation with the SARA regional 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.

In responding to and ultimately acting on such requests, regional and national NC-SARA staff and the regional compacts 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 stakeholders;
- Maintaining consistency in policy and procedures;
- Transparency and openness; and
- Responsiveness to stakeholders and emerging policy issues.

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.

Section 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 Policy 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.

New proposed language – Fall 2021

Section 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:
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 the regional compact’s SARA steering committee, the President at earliest opportunity shall share that request on the agenda of the NC-SARA Executive Committee of the Board for its consideration, or if necessary, make other arrangement for Board consideration move the request for consideration by the NC-SARA Board after being shared with the Executive Committee.

OR

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 the regional compact’s SARA steering committee, the President at earliest opportunity shall share that request on the agenda of the NC-SARA Executive Committee of the Board for its consideration, or if necessary, make other arrangement for Board consideration move the request for consideration by the NC-SARA Board after being shared with the Executive Committee.

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 SARA State Portal Entity (SPEs) portal entity directors, regional compacts and NC-SARA staff. The NC-SARA President and NC-SARA staff shall work with regional directors compacts to develop and/or propose responses. As appropriate, that process may include consultation with the SARA regional 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.

In responding to and ultimately acting on such requests, regional and national NC-SARA staff and the regional compacts 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 stakeholders;
- Maintaining consistency in policy and procedures;
- Transparency and openness; and
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.

Section 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 Policy 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.
Agenda Item VI (ACTION): Modifications to the SARA Policy Manual

Action Item: ☒ Yes ☐ No

(This portion of the meeting is open to the public and board member discussion will be limited to policy modifications listed here.)

For the Fall 2021 Board meeting, branch campus tabled policy changes were shared with the Executive Committee of the NC-SARA Board.

Proposed Policy Change Modifications

- Branch Campus Policy Change Modification – Section 4.4(d) Responsibilities for Resolving Complaints

Proposed Policy Change Clarification

- Branch Campus references throughout the SARA Policy Manual

The Executive Committee recommended at their August 2021 meeting that the modifications to the policy related to branch campuses be tabled for further work, in addition to the modifications previously proposed and tabled related to sections 8.2 and 8.3 of the SARA Policy Manual and the modifications proposed and tabled related to the accreditor 2011 C-RAC Guidelines and the 21st Century Distance Education Guidelines.

Policy Change Modifications Regarding Branch Campuses

Section 4.4 (d) Responsibilities for Resolving Complaints

a. (ACTION) Approve revisions to Section 4.4(d) Responsibilities for Resolving Complaints modification of treatment of SARA student complaints from a branch campus

Section 4.4(d) Responsibilities for Resolving Complaints

Background. The consideration of how NC-SARA treats branch campuses has been the topic of a great deal of discussion. One aspect of this discussion is the treatment of student complaints and whether such complaints should be considered and resolved at the Host or Home state. A modified version of several of these changes were presented to the board at the Fall 2020 board meeting. At that time, the board voted to table the recommended changes to form a Branch Campus Working Group. That Group was charged with producing a report with recommendations for policy and process revisions. The Branch Campus Working Group report to the board is included in Appendix J. NC-SARA staff produced the policy clarification changes below, based on the Working Group's report’s recommendations.

Proposed modification to Section 4.4(d) add a section to provide clarity about the process for filing a complaint when a branch campus is involved - Recommended
Benefits, Risks and Challenges

- **Benefits**
  This modification will allow a student to choose either the Home or Host state's portal entity. Ultimately the state portal entity in the home state is responsible, yet giving students the option to choose either state will ensure more access to the complaint process. It is important to note that the host state's portal entity is required to inform the Home state for consideration and resolution.

- **Risks**
  The tracking of the student complaint requires the host state (branch campus) SPE, to notify the institution's home state SPE of the complaint may not be carried out in a consistent manner.

- **Challenges**
  Ensuring understanding and consistency in application of student complaints and branch campus policy may prove to be a challenge.

See red lined version of recommended modification below.

Section 4.4
d. The State Portal Entity is ultimately responsible for ensuring that a valid complaint results in proper redress.

A student enrolled in a branch campus may complain to the State Portal Entity where the branch campus is located or to the Institution’s Home State Portal Entity. The State Portal Entity receiving the complaint shall notify the other affected State Portal Entity of the complaint. The Home State Portal Entity is responsible to determine the disposition of a complaint against a branch campus of any of its SARA participant institutions.

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.

Policy Change Clarifications
Sections related to branch campus activities

This section contains information on proposed Policy Change Clarifications. Stakeholder input is summarized for items related to Branch Campus policy and the Benefits, Risks and Challenges of each suggestion is noted.

**Recommended Policy Change Clarifications**
The following are policy clarification revisions recommended by the Branch Campus Working Group:
a. **ACTION** Approve addition to Section 1 of new definitions of the terms “origination” and “delivery” of distance education (Branch campus related)

b. **ACTION** Approve revisions to Section 2.5(i)(7) Functional Responsibilities of SARA States Clarification of SARA Student complaints attending an out-of-state branch campus

c. **ACTION** Approve revisions to Section 2.5(n),(o) Functional Responsibilities of SARA States clarification of regulation of online/distance education activities by the host state.

d. **ACTION** Approve Section 5.7(a) to ensure 2.5 (n),(o) are considered.

**Background**: A modified version of several of these changes were presented to the board at the Fall 2020 board meeting. At that time, the board voted to table the recommended changes to form a Branch Campus Working Group. That Group was charged with producing a report with recommendations for policy and process revisions. The Branch Campus Working Group report to the board is included in Appendix J. NC-SARA staff produced the policy clarification changes below, based on the Working Group’s report’s recommendations.

**Summary of Stakeholder Input Received by NC-SARA**

No additional input was received from the stakeholder groups listed below. Instead, input from the board appointed Branch Campus Working Group which included representatives from SPEs, compacts, and institutions was considered by NC-SARA in the recommendations that follow. At the September 9, 2021 Pre Board Policy Review meeting, suggestions were made by some in attendance that these policy changes be tabled again to allow for additional stakeholder input.

**SPEs**
Some SPEs on the Branch Campus Working Group expressed concerns about the differences between their authority and purview regarding branch campuses. These concerns were considered and included in the Branch Campus Process Document shared below.

**Regional Compacts**
The four regional compacts provided recommendations to form the board appointed Branch Campus Working Group, whose recommendations are included in the policy proposals here as well as the Branch Campus Process Document.

**Institutions**
Institutions represented on the Branch Campus Working Group largely had little difficulty interpreting current branch campus policy and agreed that greater clarification through proposed policy changes would benefit SARA participating institutions.

**Public**
NC-SARA did not seek input from members of the public, because of the representation of the branch campus working group.

**Benefits, Risks and Challenges**
- Benefits
Because of the make-up of the working group, which included SPEs, institutions, compacts, and board members, one cohesive recommendation was presented.

- **Risks**
  SPE and institution understanding of policy related to branch campuses may still be limited and require additional educational programming. Specifically, some may continue to require assistance in determining which institutions are considered “branch” campuses of a main location for SARA participation.

- **Challenges**
  Ensuring understanding and consistency in application of branch campus policy and process.

### Section 1 New Definitions

**Rationale** – Branch campus working group requested clarification with definition with SARA policy regarding “origination” and “delivery” of distance education with respect to branch campus.

**Delivery:** the method in which educational content is conveyed from instructor to students. 3.1(i)
**Originates:** where the delivery method begins or is generated. 3.1(f)(3)

### Section 2.5(i)(7) Functional Responsibilities of SARA States

**Background.** A Board appointed Branch Campus working group was formed to consider branch campus policy. Proposed clarifications align with their recommendations. NC-SARA’s staff, compact staff, and state portal entities receive frequent questions regarding complaints against branch campuses and it is necessary to provide clarity that it is the responsibility of the Home state, where the institution’s main campus or office is located to receive and resolve such complaints.

**Proposed modification** Section 2.5(i)(7) add a new sentence to provide clarity about complaints against branch campuses. – Recommended

**Benefits, Risks and Challenges**

- **Benefits**
  NC-SARA’s staff, compact staff, and state portal entities will be able to point to the new sentence in the SARA Manual to provide clarity that it is the responsibility of the home state, where the institution’s main campus or office is located, to receive and resolve complaints.

- **Risks**
  SPE and institution understanding of policy related to host states and branch campuses may still be limited and require additional educational programming. Specifically, some may continue to require assistance in student complaint resolution related to branch campus policy.

- **Challenges**
  Ensuring understanding and consistency in application of student complaints and branch campus policy may continue to be a challenge.

See **red lined** version of recommended modification below.

### Section 2.5(i)(7)
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 assessed on participating Institutions to financially support State oversight of SARA.

7. The Home State SARA Portal Entity is responsible for determining the disposition of a SARA-related complaint against a branch campus of any of its SARA participant institutions.

Section 2.5(n) Functional Responsibilities of SARA States

Background. A Board appointed Branch Campus working group was formed to consider branch campus policy. Proposed clarifications align with their recommendations. NC-SARA’s staff, compact staff, and state portal entities receive frequent questions regarding complaints against branch campuses and it is necessary to provide clarity for the regulatory authority of a branch campus with a physical presence in a host state.

Proposed modification Section 2.5(n) edit the sentence to provide clarity about regulatory authority of host state branch campus – Recommended.

Benefits, Risks and Challenges

● Benefits
  NC-SARA’s staff, compact staff, and state portal entities will be able to point to this specific sentence in the SARA Manual to provide clarity that the host state shall have responsibility within its own boundaries. This modification will provide clarity about the ability of a host state to regulate online and distance education activity within its state, when physical presence is established. It will also clarify that the host state will not regulate distance activity outside the state.

● Risks
  SPE and institution understanding of policy related to jurisdiction of host state regarding branch campus activities may still be limited and require additional educational programming.

● Challenges
  Ensuring understanding and consistency in application of host state jurisdiction within its own boundaries may prove to be a challenge.

See red lined version of recommended modification below.
n. **Branch campus host state** 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 within its own boundaries. This is necessary to allow states to properly oversee complete programs, not just parts of programs.

**Section 2.5(o) Functional Responsibilities of SARA States**

Background. NC-SARA staff, compact staff, and state portal entities receive frequent questions regarding branch campuses.

Proposed modification 2.5(o) edit the sentence to provide clarity about the ability of a Host State to regulate distance activities within its state – Recommended

Benefits, Risks and Challenges

- **Benefits**
  This modification will provide clarity about the ability of a Host State to regulate online and distance education activity within its state, when physical presence is established. It will also clarify that the host state will not regulate distance activity outside the state.

- **Risks**
  SPE and institution understanding of policy related to branch campuses may still be limited and require additional educational programming. Specifically, some may continue to require assistance in determining which institutions are considered “branch” campuses of a main location for SARA participation.

- **Challenges**
  Ensuring understanding and consistency of physical presence as it applies to the host state branch campus of a main campus in another state may prove to be a challenge.

See red lined version of recommended modification below.

o. If a **branch campus separate campus** that operates under the accreditation of a main campus engages in educational activities that constitute a physical presence under SARA policy establishes physical presence (under SARA provisions) in a SARA state, the branch campus host state may regulate distance education and branch campus-based activities the online/distance education activities of the institution within the boundaries of the branch campus host state as well as activities of the separate campus. The branch campus 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).

N2 – Can the Host state for the branch campus oversee activity of a main campus in the Home State?

A: No. Other than activity allowed under Section 2.5(n), a branch campus will remain under the jurisdiction of the Home State for any SARA related activities. This does not prevent the Host State from having oversight of face-to-face activity or in-state distance education within the Host State.

N3 - Our state requirements for branch campuses (Host State) with physical presence require us to do an onsite visit or review of a main campus in the Home State. Is the site visit or review a violation of SARA?

A: No, as long as the site visit does not consider distance-education activity covered by SARA.

Section 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 and section 2.5, subsections (n) and (o).

Agenda Item VII (ACTION): Executive session

Agenda Item VIII (ACTION): Questions, comments, reflections from board members
Appendix A: Policy Cycle

June 2021 NC-SARA Policy Revision Cycle Memo

Between June 2021 and May 2022, NC-SARA, along with its regional compact partners (MHEC, NEBHE, SREB, and WICHE), will transition from a biannual policy review and revision cycle to an annual policy review and revision cycle. SARA policy development has matured over the last eight years, and it is now at a point where constituents would benefit from more time for substantive policy discussions prior to NC-SARA’s Board voting on proposed policy modifications. An annual cycle will allow greater transparency and engagement for all stakeholders, and NC-SARA and regional compact staff will be better able to attend to the administration of the cycle while Regional Steering Committees, State Portal Entities, and SARA participating institutions will have more time for engaging in the process. Per the NC-SARA board’s by-laws, time-sensitive policy issues may be addressed by the NC-SARA board at any time should more urgent issues arise.

This memo provides an overview of this transition schedule and next steps. Please email info@nc-sara.org with any questions about this process.

Transition Schedule: 2021-22

<table>
<thead>
<tr>
<th>Transition from Biannual to Annual Cycle for SARA Policy Review and Revision: May 2021 – May 2022</th>
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<tbody>
<tr>
<td>June – August 1, 2021</td>
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<tr>
<td>August – October 2021</td>
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<tr>
<td>November 2021 – May 2022</td>
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- **Comment period for 21st Century Guidelines** to move toward October 2021 board meeting vote
  - **AND**
  - **Suggestion period for new policy modification proposals** to move toward May 2022 board meeting vote

- **Activities for 21st Century Guidelines** to move toward October board meeting vote

- **Initial discussions about new policy modification proposals** to move toward May 2022 board meeting vote

- **Activities for new policy modification proposals** to move toward May 2022 board meeting vote

- **May 2022: Launch annual policy review and revision cycle, for policy modifications leading to May 2023 board meeting vote**
November 1, 2021 – April 1, 2022: Final New Proposal Development

During this phase, NC-SARA and regional compacts will continue discussions regarding new proposals for policy modifications, and will finalize these proposals for the May 2022 board meeting. Some policy items that come forward during this transition time may not fit within this timeframe; proposed policy items may need further discussions and therefore may be moved forward to future NC-SARA board meetings.

May 2022: NC-SARA May Board Meeting

The NC-SARA board will convene for its May 2022 meeting and discuss and vote on proposed policy modifications suggested and developed starting in June 2021.

Beginning in May 2022, NC-SARA and regional compacts will start the next annual cycle, leading to policy items for the May 2023 NC-SARA board meeting.

Next Steps

Monday, August 2, 2021: Deadline for the submission of comments on the 21st Century Guidelines for accreditors for the October 2021 board meeting and new proposals for policy modifications for consideration for the May 2022 board meeting.

- SARA state members will receive specific guidance from their regional compacts about the process by which to share comments on the 21st Century Guidelines for October 2021 and new proposals for policy modifications for consideration for May 2022.
- SARA participating institutions will be emailed a survey link in order to submit comments on the 21st Century Guidelines for October 2021 and new proposals for policy modifications for consideration for May 2022.
- Members of the public may submit comments on the 21st Century Guidelines or new proposals for policy modifications to NC-SARA by emailing info@nc-sara.org. Please include a detailed rationale for your suggestions or comments.
NC-SARA Communications and Educational Programming
Board Update, October 2021

Submitted by Melanie Booth, Ed.D., Senior Director of Educational Programs & Communications

PART 1: COMMUNICATIONS

Multiple communications activities and advancements have taken place since the May 2021 board meeting. This memo provides a high-level summary of these activities. Stones River Group (SRG), NC-SARA’s communications and public relations firm, continues to be actively engaged in developing strategic opportunities to advance communications with, for, and about NC-SARA and the value of SARA.

First Annual Report Released

On July 7, 2021, NC-SARA released its first Annual Report, which shares a detailed look into NC-SARA’s efforts to strengthen our partnerships with the nation’s leading voices in higher education, offers a review and update on the first year of our three-year strategic plan, and showcases our priority initiatives to continue to enact our mission. The Annual Report was released by email to more than 5,000 contacts in NC-SARA’s database as well as to multiple partner and media organizations through a press release, personal emails, and social media.

Release of NC-SARA’s Annual Data Report

In mid-September we released a “Sneak Peak” of NC-SARA’s Annual Data Report; the full report as well as the interactive data dashboards will be released around October 20, 2021 along with a webinar. The announcements go to more than 5,000 contacts in NC-SARA’s database as well as to multiple partner and media organizations through a press release, personal emails, and social media.

Continued Enhancements to the NC-SARA Website

- The Research & Data pages have been reorganized and reformatted to better illuminate NC-SARA’s leadership in this area, particularly around the Annual Data Report and Student Complaints reporting.
- The SARA for States pages have been reorganized, and updated graphics about the state application process that match our branding have replaced outdated graphics.
- The Resources pages have been reorganized to support website visitors in finding key documents and guidance, including the SARA Policy Manual and other resources and directories.
- The Secure Documents for States area of the website (a password protected area for SARA SPEs, also available to board members and regional compact staff) has been significantly enhanced and reorganized to support improved communications with SPEs and organizing and disseminating resources from NC-SARA’s educational programming activities. This area also contains SPE reports, data dashboards, SPE Advisory Committee notes, and the SPE Handbook for using the SARA Portal.
● Elevated Third, NC-SARA’s web design firm, delivered a very positive user-experience (“UX”) analysis in September, providing an overview of the many strengths of the website as well as minor suggestions for ongoing improvement, most of which are currently underway, have been completed, or are scheduled.

● In partnership with the IT team, we have implemented a website analytics dashboard to allow us to track and analyze web usage and downloads for our insight and continuous improvement purposes. We also continue to work toward improvements and enhancements in design and function – including the development of a new searchable directory of institutions and state contacts that will be released later this year.

Media Coverage
The links and events below share the media presence of NC-SARA and its staff from July 2021 – September 2021. We anticipate there will be some media coverage in mid-October with the full release of NC-SARA’s Annual Data Report and new interactive data dashboards.

Inside Higher Ed “Detailing Last Fall’s Online Enrollment Surge” – NC-SARA’s Annual Data Sneak Peek – 9.16.21

● Featured in Whiteboard Advisors Daily News “What We’re Reading” – 9.16.21

SHEEO Report: Breaking Down Barriers: The Impact of State Authorization Reciprocity on Online Enrollment
SHEEO’s Release - https://sheeo.org/state-authorization-research-projects/ - website, social media, press releases, etc. – 7.31.21


● Featured in Whiteboard Advisors Daily News “What We’re Reading” - 8.9.21
● Featured in Daily Lumina News - 8.10.21
● Featured in Education Commission of the States - EduClips 8.11.21
● Featured in IHEP’s PostSecData Weekly Data Roundup - 8.13.21
● Featured SHEEO Medium Article – 8.31.21

USDLA Special Edition Newsletter Article, 8.4.21
"NC-SARA Game Changing National Solution to Distance Education Challenge" by Melanie Booth, Ed.D. Sent to all USDLA contacts.
Over the summer, SRG arranged and facilitated several meetings with Lori Williams and reporters covering higher education and distance learning issues. So far this year, SRG has facilitated meetings with reporters from POLITICO, Education Dive, Inside Higher Ed, The Chronicle of Higher Education, and Bloomberg.

**Messaging – The Value of SARA / “Mythbusting”**

Stones River Group is in the process of creating a comprehensive messaging strategy designed to clarify information about SARA and NC-SARA in order to continue to educate various stakeholders about “myths” they may have and/or share publicly. This strategy includes the development and publication of several “policy briefs,” new and updated collateral pieces, as well as strengthening messaging regarding NC-SARA’s transparency, particularly to external stakeholders.

**Ongoing Partnership Development: Communications with and Outreach to Key Constituents**

NC-SARA continues to refine a regular communications schedule for internal constituents that is allowing us to address specific audiences, including board members, institutions, states, and regional compacts. Recently, we implemented a monthly SPE Newsletter to share key announcements, requests, and updates with state members; we also have published regular quarterly newsletters (March, June, September, and coming next, December 2021) to all constituents, as well as board-specific newsletters.

In regard to external constituents, we continue to engage in outreach to and partnership with other higher education organizations, as well as state and national higher education officials and consumer advocacy groups. We are in the process of developing a sponsorship/ partnership strategy with several state governmental groups, including Council of State Governments, National Conference of State Legislatures, and the National Governor’s Association, in addition to our ongoing sponsorships of NASASPS, USDLA, UPCEA, Quality Matters, OLC, C-BEN, and other smaller conferences or group convenings. This collection of activities helps keep NC-SARA’s name and the value of SARA in front of important constituent groups and helps further our educative approach.

**Continued Use of Social Media**

NC-SARA launched Twitter and LinkedIn accounts in the second half of 2020, and we have continued to use these platforms to share information about NC-SARA’s work, announcements, events, and related topics or issues of interest. These channels continue to consistently promote NC-SARA’s projects and initiatives, engage in broader higher education discussions, amplify other organizations’ work in the space, and connect with respected influencers. We also use these social media channels as essential listening sources for SARA-relevant topics.

- NC-SARA can be found on Twitter here: https://twitter.com/NCSARA_News
  - If you are a Twitter user, you can select “Follow” and NC-SARA’s posts will appear in your feed.
- NC-SARA can be found on LinkedIn here: https://www.linkedin.com/company/nc-sara
  - If you are on LinkedIn, you may select “Follow” and/or you may add yourself as a board member (under the People tab).
Communications Infrastructure
To continue to work toward meeting NC-SARA’s strategic goals for communications, several infrastructure developments have been developed or are underway, including IT’s work in continuing to improve NC-SARA’s Salesforce database to ensure constituent contact information is up to date and can be leveraged by multiple constituents for key communication activities.

PART 2: EDUCATIONAL PROGRAMMING

The organizational connection between communications and educational programming continues to position NC-SARA with a strategically aligned approach to both messaging and learning intended for key NC-SARA constituents. Many of NC-SARA’s communication activities are, by necessity, educational in nature – moving well beyond promotion and information-sharing to developing constituents’ deeper understanding and application of NC-SARA, SARA policy and implementation, student consumer protections, and NC-SARA’s larger value proposition. As with communications, educational programming takes many forms for many different audiences, and is a key element of NC-SARA’s strategic plan.

Educational Programming since May 2021
In addition to participating in planning and implementing multiple NC-SARA webinars, external conference proposals and presentations, and sponsored educational activities, the following have been the primary activities since May 2021.

Development of Online Training Modules
NC-SARA’s online training modules continue to be developed with accelerated content and design occurring with the hiring of Terri Taylor-Straut in July 2021. NC-SARA’s learning management system (Litmos) – which will allow us to deploy the modules – need to be integrated with Salesforce in partnership with NC-SARA’s IT team. We are in the process of determining the roll-out timeline of the Litmos integration with our SAP consultants.

The following key elements are completed or underway:
● SARA 101: This module is complete and has been made available to SARA SPEs. As with all NC-SARA online training modules, SARA 101 will continue to go through a regular course evaluation and review process for content updates and continuous improvement of the learner’s experience.
● Four initial SPE training modules are in development:
  o SPE Essential Duties – content complete; course in the design phase
  o The Institution Application – content under development
  o Managing Student Complaints – content almost complete; in design phase
  o Provisional Status, Appeals, and Denials – content outlined
  o Other topics including Professional Licensure Disclosures and Branch Campuses are on the list to develop next.
An institution training module on Data Reporting is prepared to roll out in spring 2022 in preparation for data reporting activities.

**SPE Educational Programming**

In partnership with Marianne Boeke and others, the following SPE educational activities have taken place since May 2021:

**SPE Workshop on Professional Licensure: June 10, 2021**

This SPE Workshop focused on reviewing professional licensure disclosures. This workshop began with a brief overview of the federal and state requirements surrounding professional licensure, what a professional licensure board does, and why this work is important to NC-SARA. The workshop presenters outlined and discussed the SARA professional licensure requirements of institutions and subsequent work of the SPEs. A panel of SPEs discussed how they are reviewing professional licensure disclosures (general and direct), what evidence SPEs are looking for from the institutions, and how to set expectations with institutions regarding professional licensure.

**2021 SPE Annual Conference**

From September 1-2, 2021, NC-SARA hosted more than 100 participants from across the country for the 2021 State Portal Entity Conference. In addition to keynotes and “SARA Shorts” by NC-SARA staff, there were focused sessions for and by SPEs on the Assessment of Institutional Financial Stability and the Institution SARA Application Process.

**Continued Engagement of SPE Advisory Committee**

The SPE Advisory Committee (composed of two SPE colleagues from each region and representatives from regional compacts) has met quarterly in 2021, and starting in 2022 will meet every other month. The purpose of the SPE Advisory Committee is to collaborate with and advise NC-SARA about SPE training needs and priorities, educational programs (e.g., Fall SPE Conference, Spring SPE Summit, Summer SPE Workshop), the Annual SPE Survey, and data reporting to states. The Committee has already served as an important component of the SARA learning community to help harvest from and share effective practices across the field, and to get feedback from SPEs on ideas and needs for SPE outreach and engagement. All SPE Advisory Committee meeting notes are shared on the Secure Documents for States area on the NC-SARA website.

**Institution Educational Programming**

- In partnership with Mary Larson, Yovani Pina, and others, and incorporating a communications and outreach strategy, NC-SARA's educational programming team participated in the creation of NC-SARA’s first institution conference on July 19-20, 2021, *In The Field*.
- In preparation for institution-focused online modules and in order to share educational resources with institutions sooner, “Tip Sheets” for institutions about SARA requirements are being developed based on frequently asked questions or confusion points.
Appendix C: Information Technology & Website Activities Update

NC-SARA Information Technology and Website Activities
Board Update, October 2021

Submitted by Yovani Pina, Director of Information Technology

Internal Processes and Training

- Initial adoption of the Asana platform (a task and project management software platform) has been completed. Asana is used to collect and manage tasks and requests related to NC-SARA goals and deliverables. Our first training session has been completed – with follow up sessions to be scheduled as use of the platform grows.

Improvements to the NC-SARA Portal and Salesforce Platforms

- Enhancements and bug fixes are now scheduled to be released every four to six weeks providing consistency in messaging changes.
- Our next release is scheduled for Tuesday, October 5, 2021 and will include: updates to metric dashboards used by teammates; updates to several areas within Salesforce relating to consistent use of data; and, case management capabilities for our Accounting team.

Cyber-security

- A Salesforce security study of NC-SARA teammate accounts with “elevated” permissions has been completed. Teammate accounts are being updated so that each teammate has the necessary permissions to perform their job functions within Salesforce.
- Cyber-security training focusing on social engineering and phishing is scheduled to take place in September 29, 2021.
- A cyber-security auditing firm is being interviewed. The scope of work for the selected firm will include (but not be limited to) monthly penetration tests and an annual internal security audit and social engineering study.
Appendix D: Research and Data & SPE Activities Update

NC-SARA Research and Data and SARA State Portal Entity Activities
Board Update, October 2021

Submitted by Marianne Boeke, Ph.D., Senior Director for Research and State Support

DATA UPDATE

Cost Savings Project
A report Game Changer: The Value of SARA Participation – was made available in April 2021 (https://nc-sara.org/sites/default/files/files/2021-04/GameChanger_Final_4-13-21.pdf). This report was commissioned by the National Council for State Authorization Reciprocity Agreements (NC-SARA) from NCHEMS and analyzed the specific cost savings for SARA participating institutions and estimates a total cost savings across all SARA participating institutions of over $402 million for initial authorization and approximately $133 million annually on renewals.

Associated with the final report, the SARA Cost Savings Calculator was released in mid-May 2020 (https://nc-sara.org/sara-cost-savings-calculator). The calculator was created by NC-SARA to be used by colleges and universities offering interstate distance education to:

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

NC-SARA Data Advisory Committee
NC-SARA has a Data Advisory Committee that meets several times a year (via conference calls and face-to-face meetings) to make recommendations on reporting documents, consider comments/questions submitted by states and institutions during the reporting period, provide direction on research projects, and act as a sounding board on data issues in general. The last meeting was held virtually on August 5, 2021; at this meeting NC-SARA staff asked for guidance on the SARA research agenda, annual data reporting, and potential new data requirements. In addition, we discussed the need for new members to be added the committee in order to be more representative of SARA in general and data needs in particular. Here is the member list, with four new members represented in bold:

- Jared Abdirkin, Regional Director, State Authorization Reciprocity Agreements (SARA), New England Board of Higher Education
- Emily Bjornberg, Senior Consultant, Connecticut Office of Higher Education
- Terina Caserto, Senior Analyst, Academic and Student Affairs, Nevada System of Higher Education
● Sara Cowall, Director, State Authorization and Grants and Chair, Institutional Review Board, Granite State College
● Tyson Heath, Senior Manager for Academic Engagement, University Compliance and Title IX, Western Governors University
● Sarah Levy, J.D., Executive Director, Postsecondary Licensing, Kentucky Council on Postsecondary Education
● Cali Morrison, Ed.D., CPC, Interim Dean, the Center for Professional and Continuing Education, American Public University System
● Kristina Powers, Ph.D., President, Institute for Effectiveness
● Russ Poulin, Executive Director, WCET and Vice President of Technology-Enhanced Education, WICHE
● Ken Sauer, Ph.D., Executive Director, Indiana Board for Proprietary Education, Senior Associate Commissioner and Chief Academic Officer, Indiana Commission for Higher Education

The NC-SARA Annual Data Report
This report, along with an accompanying set of interactive data dashboards, (to be released on October 20, 2021) will analyze and make available exclusive distance education enrollment data from more than 2,200 SARA participating institutions from Fall 2020 and out-of-state learning placements (OOSLP) for the 2020 calendar year - the first year of the COVID-19 global pandemic's impact on higher education.

2,201 institutions reported distance education enrollment for fall 2020 and OOSLP data for calendar year 2020 to NC-SARA during the spring reporting window in 2021. NC-SARA provided guidance to participating institutions in the NC-SARA Data Reporting Handbook that encouraged institutional staff to refer to the IPEDS guidance regarding how to report remote learning that would otherwise have been delivered in person. NC-SARA sought to align with this guidance. The significant growth in exclusive distance education enrollment reported is attributable to the pivot to emergency remote learning by many institutions in response to the COVID-19 pandemic.

Analysis of these data submissions include these key findings:

● There was a 93.1% increase in reported total exclusive distance education enrollments at SARA participating institutions.
● 5,825,723 exclusive distance education enrollments were reported for fall 2020, up from 3,016,944 for fall 2019.
● In-state exclusive distance education enrollment comprised 67.6% (3,937,656) of reported enrollment, while out-state state exclusive distance education enrollment reporting comprised 32.4% (1,888,067) for 2020.
● There were 261,275 Out-of-State Learning Placements (OOSLP) reported by SARA participating institutions for the calendar year 2020. This represents a decline of 3.9% from last year. 72% of OOSLP were reported in the following CIP categories: Health, Education, and Business.
Data Dashboards. Beginning with the 2020 data reporting, NC-SARA is making available on the website an accompanying set of interactive data dashboards. The data is displayed in numerous ways, including:

- Number of Participating Institutions
- Total Reported Distance Education Enrollment
- In-State and Out-of-State Distance Education Enrollment
- Incoming Distance Education Enrollment by state or region
- Outgoing Distance Education Enrollment by state or region
- SARA v. Non-SARA Distance Education Enrollment
- Incoming Out-of-State Learning Placements by state or region
- Outgoing Out-of-State Learning Placements by state or region
- SARA v. Non-SARA OOSLP

A Sneak Peak of the full data report was made available on September 15, 2021 (https://nc-sara.org/sites/default/files/files/2021-09/2021DataSneakPeak.FINAL_.pdf)

A Data Webinar will be conducted on October 20, 2021. This webinar will share the findings of the latest NC-SARA Annual Data Report, which represents data collected from all SARA-participating institutions: Fall 2020 distance education enrollment and calendar year 2020 out-of-state learning placements, as well as findings from the voluntary Institution Survey (emergency remote learning).

NC-SARA Institution Survey: Perspectives on the Pandemic
NC-SARA conducted a voluntary survey on emergency remote learning in the summer of 2021 to provide context and additional information from those institutional staff who submitted data to NC-SARA. All institutions that provided data were asked to participate; the response rate was 32%. The data gleaned from the survey responses helped estimate what portion of the change in distance education enrollments and OOSLP in 2020 is due to enrollment growth versus due to the COVID-19 pandemic course / program restructuring, and what level of distance education enrollment activity and OOSLP is expected for 2021. Complete findings will be summarized in the report on the Data and Research section of the NC-SARA website.

State Portal Entity Update
SPE June Workshop. This five-hour SPE Workshop focused on reviewing professional licensure disclosures. This workshop began with a brief overview of the federal and state requirements surrounding professional licensure, what a professional licensure board does, and why this work is important to NC-SARA. The workshop presenters outlined and discussed the SARA professional licensure requirements of institutions and subsequent work of the SPEs. A panel of SPEs discussed how they are reviewing professional licensure disclosures (general and direct), what evidence SPEs are looking for from the institutions, and how to set expectations with institutions regarding professional licensure.

SPE Data Dashboards. These interactive dashboards contain distance education enrollment data submitted by SARA participating institutions for Fall 2015 through Fall 2019. NC-SARA has created these dashboards in the hopes that the SPEs will find these reports more actionable and insightful than the previous web display.
SPE feedback will be incorporated into a new version of the dashboard which will be released in October 2021 and will include the Fall 2020 distance education enrollment data.

**SPE Annual Survey.** The newly revamped survey was sent out mid-August and closed on September 17, 2021. Forty-four states responded. Special thanks to the SPE Advisory Committee and regional compact staff for their help in crafting the survey questions. There were thirty-seven questions; the questions fell into four broad categories: demographics and SPE staffing, SPE engagement, state fees charged for SARA participation, and branch campuses. The survey results will be analyzed in late September and early October and shared broadly with the SARA community.

**SPE Annual Conference.** September 1-2, 2021, NC-SARA hosted virtually more than 100 participants from across the country for the 2021 State Portal Entity Conference. The agenda was created from a variety of sources, including: the November 2020 SPE Survey on Engagement, suggestions from the regional compact SARA directors, the SPE Advisory Committee, input from the June 2021 SPE survey on agenda topics, and discussions from RSC meetings. Participants had the opportunity to ask questions, clarify understandings, identify challenges, and network (virtually) with SARA counterparts from other states. All SPE agency staff, regional compact staff, and NC-SARA board members were invited to attend this conference.

**SPE Advisory Committee**
The SPE Advisory Committee was established in 2021. The purpose of the SPE Advisory Committee is to collaborate with and advise NC-SARA about SPE training needs and priorities, educational programs (e.g., Fall SPE Conference, Spring SPE Meeting), the Annual SPE Survey, and data reporting to states. The Committee will also serve as an important component of the SARA Learning Community to help harvest from and share effective practices across the field, and to get feedback from SPEs on ideas for SPE outreach and engagement. In the SPE Advisory Committee inaugural year, the committee met 4 times, but starting in 2022 will begin to meet every other month. Since May, the committee has had 3 meetings:

- SPE Advisory Committee Notes from May 21, 2021
- SPE Advisory Committee Meeting - July 22, 2021
- SPE Advisory Committee Meeting - October 22, 2021

All meeting notes and SPE Advisory Committee resources are shared publicly on the SPE secure section of the NC-SARA website. Below is the SPE Advisory Committee Member list:

**NC-SARA Staff:**
- Melanie Booth
- Marianne Boeke

**MHEC**
- Joan Gage – Wisconsin
- Kate McCartan – Minnesota

**WICHE**
- Cyd Grua – Utah
- Alicia Armijo – New Mexico

**NEBHE**
- Alexander Nally – Massachusetts
- Deanna Velletri – Rhode Island

**SREB**
- LeAnn Detillier – Louisiana
- Menia Dykes – Mississippi

**Regional Compacts**
- Emily Jacobson - MHEC
- Elisa Jaden, SREB
Appendix E: Student and Institution Activities Update

NC-SARA Student and Institution Activities
Board Update, October 2021

Submitted by Mary Agnes Larson, M.Ed., Executive Director for Student and Institution Support

In The Field Institution Conference
In July, NC-SARA welcomed more than 1000 registrants to In The Field, our first annual conference for SARA participating institutions. In The Field conference is an opportunity for institution staff to gain a better understanding about SARA and the importance of quality in educational offerings and student consumer protection. 923 registrants logged in and watched the conference live, while others who may have had a conflict, may watch the proceedings as all sessions were recorded and made available to the public. Institution staff, SARA State Portal Entity staff and Board members were in attendance. A preconference session was provided for those who were new to SARA policy. The conference sessions included a panel of experts discussing quality, a session on the completion and review of the institution application from the viewpoint of institutions and SARA State Portal Entity staff. Additional information was provided on NC-SARA activities that relate to institution participation. Slides, recordings, and resources from In The Field are available on the NC-SARA website at https://nc-sara.org/nc-sara-institution-conference. Please save the date for next year’s virtual institutional conference, July 11-13, 2022.

NC-SARA Institution Advisory Committee
NC-SARA is developing an Institution Advisory Committee. The purpose of the NC-SARA Institution Advisory Committee is to collaborate with and advise NC-SARA about needs, priorities, and programming for institutions (e.g., the annual In The Field institution conference, workshops, webinars, and online training modules). The Committee will serve as an important component of the SARA Learning Community. The Committee will help NC-SARA staff harvest from and share effective practices across the field to support SARA compliance; to be a direct voice from institutions; and to get feedback from institutions on ideas. The Committee will serve in an advisory capacity to NC-SARA with meetings three times per year and engagement by email in between. It is anticipated the committee will be constituted by the end of the calendar year and will be comprised of 8-10 institutional representatives representing different regions, sectors, and sizes.

SARA Source
NC-SARA is collaborating with AcademyOne to develop a searchable national catalog of distance education programs offered by SARA-participating institutions. The purpose of this searchable catalog will be to allow SARA-participating institutions to showcase their distance education degree and certificate programs to potential students and others. There is no fee for SARA institutions to participate in this voluntary
opportunity to showcase educational offerings. In January 2022 institutions will be invited to begin entering their programs.
### Appendix F: Staff Meetings and Presentations
May 2021 – October 2021

<table>
<thead>
<tr>
<th>DATE</th>
<th>EVENT*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Quarterly</td>
<td>NC-SARA Executive Committee Meeting</td>
</tr>
<tr>
<td>Quarterly</td>
<td>NC-SARA Finance Committee Meeting</td>
</tr>
<tr>
<td>Quarterly</td>
<td>NC-SARA Senior Directors, Regional Compact Presidents and Regional Compact Directors Meeting</td>
</tr>
<tr>
<td>Quarterly</td>
<td>NC-SARA Senior Directors, Regional Compact Presidents, Regional Compact Directors and Regional Steering Committee Chairs Meeting</td>
</tr>
<tr>
<td>Quarterly</td>
<td>SARA State Portal Entity Advisory Committee Meeting</td>
</tr>
<tr>
<td>Quarterly</td>
<td>NASASPS Distance Education Committee</td>
</tr>
<tr>
<td>Quarterly</td>
<td>Credential Engine Skill and Competency Contextualization Task Group</td>
</tr>
<tr>
<td>Quarterly</td>
<td>NC-SARA Data Advisory Committee Meeting</td>
</tr>
<tr>
<td>Monthly</td>
<td>WICE Cooperative for Educational Technologies State Authorization Network (WCET SAN) Open Forums</td>
</tr>
<tr>
<td>Monthly</td>
<td>WCET SAN Monthly Meetings and Webinars</td>
</tr>
<tr>
<td>Monthly</td>
<td>NC-SARA Senior Directors, and Regional Compact Directors Meeting</td>
</tr>
<tr>
<td>May 4-5, 2021</td>
<td>NC-SARA Spring Board Meeting</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
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</tr>
<tr>
<td>May 14, 2021</td>
<td>Northwest Commission on Colleges and Universities Fellow Accreditation Leadership Workshop</td>
</tr>
<tr>
<td>May 17, 2021</td>
<td>NC-SARA Webinar: Game Changer: The Cost Savings and Value of SARA Participation</td>
</tr>
<tr>
<td>May 18, 2021</td>
<td>NC-SARA Webinar: NC-SARA Board Meeting Actions</td>
</tr>
<tr>
<td>May 19, 2021</td>
<td>WCET &amp; SAN Member Policy Series Webinar</td>
</tr>
<tr>
<td>May 24, 2021</td>
<td>MHEC SARA State Portal Entity Meeting</td>
</tr>
<tr>
<td>May 25, 2021</td>
<td>NC-SARA and Ed &amp; Labor GOP Meeting</td>
</tr>
<tr>
<td>May 26, 2021</td>
<td>TICAS &amp; Other Consumer Advocates Meeting</td>
</tr>
<tr>
<td>May 26, 2021</td>
<td>WICHE SARA Regional Steering Committee Meeting</td>
</tr>
<tr>
<td>May 27, 2021</td>
<td>NC-SARA/National Association of Attorneys General (NAAG) Webinar</td>
</tr>
<tr>
<td>June 4, 2021</td>
<td>USDLA Mental Health Webinar (Sponsor)</td>
</tr>
<tr>
<td>June 9, 2021</td>
<td>SREB Regional Steering Committee Meeting</td>
</tr>
<tr>
<td>June 9, 2021</td>
<td>The Value of Higher Education</td>
</tr>
<tr>
<td>June 10, 2021</td>
<td>NC-SARA SPE Workshop: Professional Licensure</td>
</tr>
<tr>
<td>June 15, 2021</td>
<td>Council of College and Military Educations (CCME) Annual Symposium</td>
</tr>
<tr>
<td>Date</td>
<td>Event</td>
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<tr>
<td>--------------</td>
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</tr>
<tr>
<td>June 16, 2021</td>
<td>A Conversation Among Governors: Education and Workforce Recovery</td>
</tr>
<tr>
<td>June 17, 2021</td>
<td>CHEA Summer Roundtable</td>
</tr>
<tr>
<td>June 21, 2021</td>
<td>NACUA Conference</td>
</tr>
<tr>
<td>June 22, 2021</td>
<td>CHLOE 6 Report: Online Learning Leaders Adapt for a Post-Pandemic World</td>
</tr>
<tr>
<td>June 23, 2021</td>
<td>WICHE SARA Regional Steering Committee Meeting</td>
</tr>
<tr>
<td>June 25, 2021</td>
<td>WCET SAN Workshop</td>
</tr>
<tr>
<td>June 28, 2021</td>
<td>NC-SARA and Higher Learning Advocates</td>
</tr>
<tr>
<td>June 29, 2021</td>
<td>NC-SARA Webinar: 21st Century Guidelines Webinar</td>
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<tr>
<td>June 30, 2021</td>
<td>Quality Matters President’s Summit on Leading Quality</td>
</tr>
<tr>
<td>July 8, 2021</td>
<td>Quality in the 21st Century: Distance Education at the Crossroads</td>
</tr>
<tr>
<td>July 14, 2021</td>
<td>MHEC Regional Steering Committee Meeting</td>
</tr>
<tr>
<td>July 15, 2021</td>
<td>NC-SARA SHEEO Research Meeting</td>
</tr>
<tr>
<td>July 19, 2021</td>
<td>NC-SARA <em>In The Field</em> Institution Preconference</td>
</tr>
<tr>
<td>July 20, 2021</td>
<td>NC-SARA <em>In The Field</em> Institution Conference</td>
</tr>
<tr>
<td>Date</td>
<td>Event Description</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>August 25, 2021</td>
<td>WICHE SARA Regional Steering Committee</td>
</tr>
<tr>
<td>August 27, 2021</td>
<td>WCET SAN Podcast Recording: Professional Licensure Discussion</td>
</tr>
<tr>
<td>September 1-2, 2021</td>
<td>NC-SARA Conference: SARA State Portal Entity Conference</td>
</tr>
<tr>
<td>September 7, 2021</td>
<td>Online Learning Consortium Conference</td>
</tr>
<tr>
<td>September 13-14, 2021</td>
<td>NASASPS Annual Conference</td>
</tr>
<tr>
<td>September 15, 2021</td>
<td>NC-SARA Webinar: NC-SARA Fall 2021 Proposed Modifications &amp; Policy Items</td>
</tr>
<tr>
<td>September 20, 2021</td>
<td>SREB SARA Regional Steering Committee</td>
</tr>
<tr>
<td>September 30, 2021</td>
<td>CBE Webinar</td>
</tr>
<tr>
<td>October 7, 2021</td>
<td>USDLA Conference</td>
</tr>
<tr>
<td>October 20, 2021</td>
<td>WICHE SARA Regional Steering Committee</td>
</tr>
<tr>
<td>October 29-30, 2021</td>
<td>NC-SARA Fall Board Meeting</td>
</tr>
</tbody>
</table>

*All events were held virtually during this period
## State Fees for In-state Institutions

<table>
<thead>
<tr>
<th>State</th>
<th>State Fee Established</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Alaska</td>
<td>$0</td>
</tr>
<tr>
<td>Arizona</td>
<td>$2,500/year for institutions with fewer than 10,000 FTE student enrollments</td>
</tr>
<tr>
<td></td>
<td>$6,000/year for institutions with between 10,000 – 39,999 FTE student enrollments</td>
</tr>
<tr>
<td></td>
<td>$18,000/year for institutions with 40,000 or more FTE student enrollments</td>
</tr>
<tr>
<td>Arkansas</td>
<td>$0</td>
</tr>
<tr>
<td>Colorado</td>
<td>$0</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Based on most recent IPEDS FTE, are as follows:</td>
</tr>
<tr>
<td></td>
<td>$3,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$9,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Delaware</td>
<td>$0</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>$3,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$9,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Florida</td>
<td>$1,250 for institutions with fewer than 2,500 students</td>
</tr>
<tr>
<td></td>
<td>$2,750 for institutions with between 2,500 and 9,999 students</td>
</tr>
<tr>
<td></td>
<td>$4,250 for institutions with 10,000 or more students</td>
</tr>
<tr>
<td>Georgia</td>
<td>$1,250 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$2,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$2,750 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Hawai‘i</td>
<td>$1,000 annually per institution application processed</td>
</tr>
<tr>
<td>Idaho</td>
<td>$1,500</td>
</tr>
<tr>
<td>Illinois</td>
<td>No fee for community colleges</td>
</tr>
<tr>
<td></td>
<td>$1,750/year for all the other institutions</td>
</tr>
<tr>
<td>Indiana</td>
<td>$0</td>
</tr>
<tr>
<td>Iowa</td>
<td>$2,000/year for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000/year for institutions with between 2,500-9,999 FTE students</td>
</tr>
</tbody>
</table>
$6,000/year for institutions with 10,000 or more FTE students

*Iowa state fees are due annually on or before July 15*

<table>
<thead>
<tr>
<th>State</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas</td>
<td>$0</td>
</tr>
</tbody>
</table>
| Kentucky       | $4,500 for institutions with fewer than 2,500 FTE students  
|                | $7,500 for institutions with between 2,500 – 9,999 FTE students  
|                | $10,500 for institutions with 10,000 or more FTE students  |
| Louisiana      | $1,500                                      |
| Maine          | $0                                          |
| Maryland       | $2,000 for institutions with fewer than 2,500 FTE students  
|                | $4,000 for institutions with between 2,500 – 9,999 FTE students  
|                | $6,000 for institutions with 10,000 or more FTE students  |
| Massachusetts  | $3,000 for institutions with fewer than 2,500 FTE students  
|                | $6,000 for institutions with between 2,500 – 9,999 FTE students  
|                | $9,000 for institutions with between 10,000 – 19,999 FTE students  
|                | $12,000 for institutions with 20,000 or more FTE students  |
| Michigan       | $2,000 initial application fee, and then an addition $2,000 annual fee; thus, the first time a school applies, the total cost to a school will be $4,000, then $2,000/year after that.  |
| Minnesota      | $750 for institutions with fewer than 2,500 FTE students  
|                | $3,000 for institutions with between 2,501 - 20,000 FTE students  
|                | $7,500 for institutions with 20,001 or more FTE students  |
| Mississippi    | $500/year for institutions with fewer than 2,500 FTE students  
|                | $1,000/year for institutions with between 2,500 – 9,999 FTE students  
|                | $1,500/year for institutions with 10,000 or more FTE students  |
| Missouri       | $500                                        |
| Montana        | $0                                          |
| Nebraska       | $300                                        |
| Nevada         | $0                                          |
| New Hampshire  | $2,500 for institutions with fewer than 2,500 out-of-state online headcount  
|                | $10,000 for institutions with between 2,500 – 10,000 out-of-state online headcount  
|                | $20,000 for institutions with between 10,001 – 20,000 out-of-state online headcount  
<p>|                | $40,000 for institutions with 20,001 or more out-of-state online headcount  |
| New Jersey     | $1,062.50                                   |
| New Mexico     | $1,000 application fee                      |</p>
<table>
<thead>
<tr>
<th>State</th>
<th>Fee Structure</th>
</tr>
</thead>
<tbody>
<tr>
<td>New York</td>
<td>$5,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$7,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$9,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>North Carolina</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>North Dakota</td>
<td>$0</td>
</tr>
<tr>
<td>Ohio</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>$0</td>
</tr>
<tr>
<td>Oregon</td>
<td>$3,000/biennial for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$5,000/biennial for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$7,000/biennial for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>CURRENT FEE IS $0&lt;br&gt;&lt;br&gt;PROPOSED NEW FEES&lt;br&gt;$1,000 for institutions with distance tuition revenue fees from $0 - $9,999&lt;br&gt;$2,000 for institutions with distance tuition revenue fees from $10,000 - $4,999,999&lt;br&gt;$4,000 for institutions with distance tuition revenue fees from $5,000,000 - $19,999,999&lt;br&gt;$6,000 for institutions with distance tuition revenue fees from $20,000,000 - $39,999,999&lt;br&gt;$8,000 for institutions with distance tuition revenue fees of $40,000,000 and over</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Rhode Island</td>
<td>INITIAL FEES&lt;br&gt;$3,500 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
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<td>$6,000 for institutions with between 2,501 and 9,999 FTE students</td>
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<tr>
<td></td>
<td>$8,500 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td></td>
<td>RENEWAL FEES&lt;br&gt;$1,500 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000 for institutions with between 2,501 and 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with 10,000 or more FTE students</td>
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<tr>
<td>South Carolina</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students</td>
</tr>
<tr>
<td></td>
<td>$4,000 for institutions with between 2,500 – 9,999 FTE students</td>
</tr>
<tr>
<td></td>
<td>$6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>South Dakota</td>
<td>$4,000</td>
</tr>
<tr>
<td>State</td>
<td>Fee Structure</td>
</tr>
<tr>
<td>--------------------</td>
<td>--------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Tennessee</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students $4,000 for institutions with between 2,500 – 9,999 FTE students $6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Texas</td>
<td>$0</td>
</tr>
<tr>
<td>U.S. Virgin Islands</td>
<td>$0</td>
</tr>
<tr>
<td>Utah</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students $4,000 for institutions with between 2,500 – 9,999 FTE students $6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Vermont</td>
<td>$0</td>
</tr>
<tr>
<td>Virginia</td>
<td>$1,000 for institutions with fewer than 2,500 FTE students $2,000 for institutions with between 2,500 – 9,999 FTE students $3,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Washington</td>
<td>$1,250 “expense recovery charge”</td>
</tr>
<tr>
<td>West Virginia</td>
<td>$500</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>$0</td>
</tr>
<tr>
<td>Wyoming</td>
<td>$0</td>
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</tbody>
</table>

Chart will be updated as states establish fees or modify existing fees.
SARA does not mandate how states establish their in-state fee structures for SARA-related work.
States may use any fee structure that is rationally related to the state’s actual or projected workload.
DRAFT Statement Regarding the Unified Agreement
(For board approval)

The four regional compact presidents, the board officers, and Kathryn Dodge (in a consulting capacity) came together in July 2021 in order to establish agreement about the current role of the Unified Agreement. The Unified Agreement was written by Alan Contreras and was signed by then NC-SARA President Marshall Hill and the four compact presidents in December, 2015 after 29 states joined as SARA members.

The board is invited to discuss and act to vote to approve or not approve this statement.

"The four regional compact presidents and the president of NC-SARA agree that the Unified Agreement (UA) establishes the guiding principles of SARA and the framework for SARA’s operational and administrative structure. The policy manual specifies procedures, policies, and guidance for implementation of the UA. The UA articulates the differing and complementary roles that underlie the peer partnership and emphasizes collaboration and the importance of continuing to work ‘in concert.’"
Appendix I: 21st Century Guidelines

21st Century Distance Education Guidelines

Spring 2021
OVERVIEW:

With the continued growth in postsecondary distance education, the assurance of quality in such programs impacts an increasingly large proportion of students. The COVID-19 pandemic has also required education at all levels to move to remote delivery, and most predictions are that overall increases will continue post-pandemic, emphasizing the relevance of quality assurance for such programs.

The federal government, state governments, and accreditors all play important roles in assuring quality in distance education in the United States. Title IV of the HEA sets forth interdependent responsibilities for this triad to ensure program integrity. The states provide consumer protection, the accrediting agencies provide quality assurance, and the federal government’s role is to provide oversight of compliance to ensure administrative and fiscal integrity of Title IV programs at institutions of higher education.

Per the federal definition, distance education includes both online learning and remote learning. To help assure quality, regional accreditors and other organizations have relied on the C-RAC Interregional Guidelines for the Evaluation of Distance Education that were adopted by the Council of Regional Accrediting Commissions in 2002, and were last updated in 2011. As distance education continued to develop, accreditors referenced and incorporated the guidelines into their own standards and processes. Institutional participation in State Authorization Reciprocity Agreements (SARA) includes a provision that an institution must adhere to the C-RAC Guidelines, so SARA member states are also reliant on this resource to ensure institutional compliance with SARA policy.

Given the numerous advancements in technology, learning sciences, competency-based programs, and distance learning pedagogy, along with the increase in distance education programs, the need for high quality credentials, and the economic realities facing families and states, it is time for a new set of guidelines. The National Council for State Authorization Reciprocity Agreements (NC-SARA) assumed a leadership role in supporting the development of this proposed new set of guidelines for institutional accreditors reviewing distance education.

These 21st Century Guidelines were developed in two key phases in a commissioned project with the National Center for Higher Education Management Systems (NCHEMS). First, NCHEMS undertook an in-depth study to determine the extent to which there were similarities in consideration of quality between the C-RAC Interregional Guidelines for the Evaluation of Distance Education and each accrediting organization’s standards, policies, and guidelines related to distance education. This was completed through a review of publicly available documents and interviews with accrediting organizations’ staff. The second phase involved the iterative development of these 21st Century Guidelines based on that study, which involved interviews with current practitioners, researchers, and quality assurance professionals, as well as reviews and feedback by critical constituents.

Several criteria shaped the development of the 21st Century Guidelines, including that they be: developed in partnership with accreditors and other organizations and experts in the field; applicable to a wide range of institutions; congruent with the standards used by many of the
institutional accreditors; relevant to accreditors and NC-SARA in assuring distance education quality; and accessible and useful to institutions for planning and continuous improvement purposes.

These 21st Century Guidelines are therefore sensitive to the enormous variation in institutions offering distance education (e.g., in size, public/private, degree levels, programs), in students enrolled, in program design and delivery, in faculty model, and in the extent of preparedness and resources students have to study at a distance. Thus, the 21st Century Guidelines are designed to inform, but not limit, accreditors and states in their judgment of satisfactory levels of quality in the offering of programs through distance education.

PARTICIPANTS:

A complete list of participants in this initiative is available in Appendix A. Comments from several participants are included in Appendix B, and Appendix C shares information about NC-SARA and NCHEMS.
21st Century Distance Education Guidelines

The following are elements for assuring quality in distance education programs.

**Institutional Capacity**

1. The institution offering distance learning programs regularly evaluates and demonstrates its capacity along multiple dimensions, including financial resources, technology infrastructure, data security, content expertise, instructional design, support for students and assessment of, and access to information resources.

2. Financial support for distance learning is sufficient given the scope of programming, enrollment, student body, methods of delivery, and support.

3. The institution supports diversity, equity, and inclusion through its learning environments and student support as appropriate to its mission and student body.

4. Educational quality is supported through continuing investment in technology and professional development for faculty as well as other academic, technical, and student support staff. Professional development is ongoing and includes attention to: technology, instructional design, learning science, pedagogy, assessment, and methods of using data for improvement.

5. The institution ensures that learning resources used for instruction and tools used for access to services are sufficiently supported and ensure accessibility and privacy for students. The institution provides clear policies regarding intellectual property.

6. Relevant information that orients students to their courses—such as syllabus, prerequisites, course delivery structure, class schedule, modes of communication—is provided to students on the institution’s learning management platform. Students have ready access to available technical support services.

7. Online program management (OPM) and other contractual and consortial arrangements are reviewed to ensure that the institution retains appropriate authority and responsibility for the academic program and student privacy.

**Institutional Transparency and Disclosures**

8. During the admissions process, information readily available to prospective students includes:
   a. a clear description of the program, including curriculum, learning outcomes, and appropriate measures of student success (e.g., graduation rates, licensure passage rates by state, employment in the field, progression to the higher degree) disaggregated by modality;

   21ST CENTURY DISTANCE EDUCATION GUIDELINES - 4
b. all costs, including tuition, fees (including any additional charges associated with verification of student identity), books, materials, travel for any on-site clinical or internship requirements, and refund policy;

c. requisite skills for using technology tools (websites, software, and hardware) that are clearly stated and reinforced through admissions, orientation, and matriculation;

d. processes for authenticating student identification;

e. information regarding what students need to be successful in the program, including pre-requisites, technology, internet connection, and expected amount of engagement per week or per term;

f. expectations for students' engagement as active learners with learning resources, faculty, other students, and assignments as appropriate;

g. support services available to students; and

h. information about professional licensure requirements, where appropriate, and advice on licensing in the state(s) of intended employment.

9. Students are oriented in ways suitable to the student body, in stages tailored to the backgrounds and needs of students, varying as germane by program and degree level.  
   a. Orientation is provided to the learning environment; to technology; to academic resources; to support for students (including advising, tutoring, mentoring, coaching, accessibility); and to special opportunities for students.

b. Orientation includes opportunities for students to demonstrate their competence with the technology and learning format used in courses.

Academic Programs

10. The academic team includes individuals with expertise in the subject-matter, instructional design, interaction with students, and assessment of student learning.

11. The institution collects, analyzes, and uses data on student engagement, achievement, and feedback for improvement of the academic program and of student success.

12. Institutions that offer the same program in multiple modalities ensure learning outcomes and levels of student achievement are comparable across modalities.

13. Learning activities and assessments are aligned with measurable learning outcomes. Formative and summative assessments of student learning provide feedback to students and serve as a basis for program improvement.

Support for Students

14. Academic and support staff who interact with students are able to guide them to the range of support services offered by the institution.

21ST CENTURY DISTANCE EDUCATION GUIDELINES - 5
15. Continuing support helps students develop as engaged learners, with the information and skills to seek special opportunities to enhance their success.

16. Academic and student support services are available remotely, easy to access, and available at times when students need them.

17. Collective responsibility for student success is accepted by academic, technical, and student support staff.

Program Review

18. Programs offered through distance learning are reviewed on a regular cycle that includes external perspectives. Reviews are informed by empirical evidence including feedback from students and graduates about the academic program and information about graduates’ success (e.g., employment and further education).

19. The institution documents improvements made as a result of the program reviews and other feedback.

Academic and Institutional Integrity

20. The institution promotes a culture of academic integrity. The process for addressing academic integrity issues is clearly outlined by the institution and includes the opportunity for appeal.

21. Distance learning programs are appropriately integrated into the academic, administrative, and governance systems of the institution.

22. Learning outcomes are clear to prospective students and the public.

23. The institution demonstrates its understanding of the requirements and obligations of participation in NC-SARA, such as SARA consumer protection provisions.

   Note: This item is the responsibility of the states.
Appendix A: Participants and Partners

NC-SARA and NCHEMS are grateful to everyone involved in this initiative for their time and expertise in the development of the 21st Century Guidelines for Distance Education.

Interviewees

Deb Adair, Quality Matters
Meg Benke, SUNY Empire State College
Melanie Booth, NC-SARA (previously WASC Senior College and University Commission)
Deb Bushway, Northwestern Health Sciences University
Chris Bustamante, Rio Salado College, AZ
Myk Garr, University System of Georgia
Dale Johnson, Arizona State University
Leah Matthews, Distance Education Accrediting Commission
John Opper, Florida Virtual Campus
Hae Okimoto, University of Hawaii
Russ Poulin, WICHE Cooperative for Educational Technologies (WCET)
Pam Quinn, Dallas County Community College District
Ken Sauer, Indiana Commission for Higher Education
Kay Shatuck, Penn State and Quality Matters
Peter Shea, SUNY Albany, NY
George Siemens, Texas Center for Educational Technology
Linda Smarzik, Austin Community College District, TX
Burck Smith, StraighterLine
Peter Smith, University of Maryland Global Campus
Vernon Smith, American Public University System
Karen Solomon, Higher Learning Commission
Karen Swan, University of Illinois, Springfield
Gandace Thille, Stanford University and Amazon

Reviewers

Deb Adair, Quality Matters
Rob Anderson, State Higher Education Executive Officers Association
Ulrik Juul Christensen, Area9 Lyceum
Laurie Dodge, Brandman University
Judith Eaton, Council for Higher Education Accreditation
Julie Porosky Hamlin, MarylandOnline
Leah Matthews, Distance Education Accrediting Commission
Scott Pulipher, Western Governors University
Ray Schroeder, UPCEA
Karen Solomon, Higher Learning Commission
Linda Thor, Maricopa County Community College District Board of Governors
Robin Walton, Thomas Edison State University, NJ
Belle Wheelan, Southern Association of Colleges and Schools Commission on Colleges
Darlene Williams, Northwestern State University, LA

21st CENTURY DISTANCE EDUCATION GUIDELINES - 7
Appendix B: Comments from Participants

Deb Adair, Executive Director – Quality Matters
Thank you for your work on this and your commitment to improve these guidelines which will enhance the quality of the student learning experience in distance education programs.

Laurie Dodge, Vice Chancellor of Institutional Assessment and Planning Vice Provost, Brandman University
Thank you for the opportunity to provide feedback on the Distance Learning Guidelines. First, I wish to thank each of you for taking this bold and needed step. Much of the world in teaching and learning and supporting technology has changed over the past 10 years in addition to the new federal regulations. So your timing is perfect.

Michale McComis, Executive Director, Accrediting Commission of Career Schools and Colleges
The 21st Century Guidelines for Distance Learning represent a comprehensive set of best practices that when woven into the fabric of educational practice yield an enhanced opportunity for quality learning and student success.

Scott Pulsipher, President, Western Governors University
I appreciate the enormity of the undertaking in which you are engaged, and your continued support of innovation.

Ray Schroeder, Associate Vice Chancellor for Online Learning, University of Illinois Springfield Senior Fellow, UFCEA
I applaud NC-SARA and WICHEMS for the initiative to create a new list of guidelines that may take the place of the well-worn C-RAC guidelines as they apply to national standards for interstate offering of postsecondary distance education. This list is far superior to the prior aging recommendations in addressing a number of continuing considerations as well as those that have arisen in the past decade.

Peter Smith, Orkan Chair and Professor of Innovative Practices in Higher Education, University of Maryland Global Campus
These guidelines anticipate the next generation of distance education. They recognize that we are entering a time when effectiveness, learner-centered practices, and data analytics will supersed the delivery model as the determinants of quality.

Linda Thor, Member, Maricopa Community Colleges Governing Board; President Emeritus, Rio Salado College; Chancellor Emeritus, Foothill-De Anza Community College District
I have reviewed the draft distance learning guidelines and think that they are very well done, comprehensive, and generally clear ... Thank you for the opportunity to be a small part of this important project.

Belle Wheelan, President, SACSCOC
I believe they add some much needed 'meat' to the C-RAC bones that were used in the past.

Frank Yamada, Executive Director, The Association of Theological Schools
The Guidelines address the many various forms of institutions while providing common principles of quality in distance learning. They clearly articulate areas of institutional capacity required for schools to plan for, develop, and assess the resources and processes needed to work for continuous improvement in distance learning. The guidelines integrate well-established principles of educational quality throughout. The emphasis, as well, on clear support for students in distance learning is a strength of the Guidelines ... For the accreditors, it is very helpful to read in the introduction that they are “designed to inform but not limit accreditors in their judgement of satisfactory levels of quality in the offering of programs through distance learning.” That reinforces our distinctive roles. The Guidelines also demonstrate a nice dual emphasis on institutions and students. They should prove very useful.

21ST CENTURY DISTANCE EDUCATION GUIDELINES - 8
Appendix C: About NC-SARA and NCHEMS

About NC-SARA
NC-SARA is a nonprofit organization that helps expand students’ access to postsecondary educational opportunities and ensures more efficient, consistent, and effective regulation of interstate distance education. The organization serves as a national leader in enhancing quality and important student consumer protections in by helping states, institutions, policymakers, and students understand the value of and requirements for institutions participating in State Authorization Reciprocity Agreements (SARA).

About SARA
SARA is a set of agreements between member states, districts, and territories that establishes comparable national standards for interstate distance education program offerings. These reciprocity agreements help streamline distance education regulations, improve coordination between states and higher education institutions, and also help ensure member states and participating institutions adhere to a set of important consumer protections for students. As of January 2021, roughly 90% of all U.S. postsecondary institutions that offer distance education programs (2,200+ institutions) voluntarily participate in these agreements across 49 member states, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands. More than 3 million students are enrolled exclusively in distance education programs offered by SARA-participating institutions.

About NCHEMS
NCHEMS is a private, nonprofit organization whose mission is to improve strategic decision making and practices in post-secondary education for states, systems, institutions, and workforce development organizations in the United States and abroad. NCHEMS carries out cutting edge research, strategic advising, and offers technical assistance to allow for more sustainable and successful service to learners. NC-SARA commissioned NCHEMS to undertake the research and development of this initiative. The NCHEMS’ team included Sally Johnstone, NCHEMS’ president and a long-time distance learning practitioner and researcher; Barbara Brittingham, President Emerita of a regional accrediting commission; and Sarah Torres Lugo, NCHEMS researcher.
Appendix J: Branch Campus Report

Report from the NC-SARA Branch Campus Working Group
to the NC-SARA Board

March 19, 2021

INTRODUCTION

Since the inception of the National Council for State Authorization Reciprocity Agreements (NC-SARA), the policy regarding branch campuses and how they are regulated has been a topic of recurring discussion. At the spring 2020 NC-SARA board meeting, a discussion surrounding recommended modifications regarding branch campuses was tabled, as board members suggested further discussion was needed prior to voting on any modifications intended to improve the understanding of current policy. To clarify the issues, NC-SARA established a Branch Campus Working Group including a representative group of stakeholders. They were asked to begin their work on October 30, 2020 and complete their work by May 3, 2021. This report is a summary of that group’s work.

The Working Group was given three charges:

1. To provide input on a Branch Campus White Paper written collaboratively by NC-SARA and WICHE Cooperative for Educational Technologies State Authorization Network (WCET/SAN) staff (final version shared with the Working Group on November 11, 2020) (Yockey-Fine, 2020);

2. To consider the issues associated with NC-SARA’s branch campus policy and share input on potential future changes to this policy and

3. To provide a final recommendation memo to the NC-SARA board for consideration ahead of the spring 2021 board meeting when branch campus policy review is to be considered.

The Working Group met (virtually) four times in order to study the issues, review the contents of the white paper, and develop a report to present to the
NC-SARA Board by April 3rd for its use and consideration. This document is a result of this work.

BACKGROUND

Policy regarding branch campus oversight is complicated and evolving. As time passes and experience is gained, a clearer picture of regulatory oversight is developing while at the same time, requests for additional clarification are emerging and institutions are creating novel means to instruct students at a distance. In a white paper commissioned by NC-SARA, the State Authorization Reciprocity Agreement (SARA) was defined as, “an agreement among member states, districts and territories that establishes comparable national standards for interstate offerings of postsecondary distance education” (Yockey-Fine, et.al, 2020). In that same paper, the authors also point out that SARA, “...provides a consistent pathway for state regulatory oversight of the distance education activities of institutions in all member states using a foundational principle of the ‘Home State,’ which is the single SARA member state where the institution’s Main Campus is located, legal domicile of the institution is held and from where it received its initial authorization to issue degrees.”

The Working Group used the white paper as a starting point for its deliberations and considered other resources including the SARA Policy Manual. After much discussion, several questions arose:

1. How do institutions, SARA State Portal Entities (SPEs), and other stakeholders identify the location from which a distance education program is generated?
2. Given their differing roles and types and levels of authority, what is the distinction between a regulator and a SARA SPE?
3. What is the oversight of branch campuses in host states when:
   a. the branch campus originates distance education programs, that are also offered at the main campus;
   b. the branch campus originates distance education programs that are not also offered from the main campus in a home state; and
   c. the branch campus does not originate or deliver distance education programs?
4. What oversight do home state SARA SPEs and host state regulators have over hybrid programs of branch campuses in host states that offer both face-to-face and on-line programs?

After much discussion of the issues, the Working Group was aided by a set of diagrams and questions developed by two of the members of the Group. These documents described some of the possible scenarios of regulatory challenges faced by states (see Appendices). The Group’s discussions led to the following recommendations which are provided for consideration by the NC-SARA Board.

RECOMMENDATIONS

The following list of recommendations is not in priority order but is shared for the NC-SARA Board’s use and information.

1. Provide clarification of the differences between the types of SPEs and the impact of the structure within which SPEs exist in each state.

Three types of SPEs were described. These include:
(a) the SARA dedicated SPE who also serves as a state regulator for the authorization of higher education institutions in the state,
(b) the SARA dedicated SPE who is not a regulator, but sits within the state’s higher education offices, and
(c) the SARA dedicated SPE who is not a regulator and does not sit within the state’s higher education offices.

Sharing about these distinctions is key to assisting SPEs in determining the scope of their authority as SARA SPEs, especially when they are also acting as state regulators.

2. Further modify the application to require institutions to list branch campuses that offer distance education programs.
The Group suggests that the language in the NC-SARA policies and application be better aligned. The changes should also serve to make it easier for SPEs to track where the branch campuses are located for institutions that participate in SARA through their home states. All accredited institutions are required to share their branch campuses with their accreditors, yet this information is not always made easily available to SPEs.

3. Define the scope of responsibility of SPEs and host state regulators over distance education that originates from a home state, and over distance education that originates from a branch campus in a host state.

The white paper described the current NC-SARA policy related to branch campuses (Yockey-Fine, et.al, 2020) and defined the scope of SPE oversight authority in host states. The Working Group recommends that NC-SARA staff more clearly define and explain these roles and responsibilities through training to SPEs and institutions. Training should address the application of SARA to multiple scenarios but should specifically address instances in which the distance education programming originates from a home state as well as when distance education originates from a host state branch campus.

Additionally, instances in which the distance education that originates from a branch campus in a host state extends beyond that host state to additional states should be included. Special attention should be given to amending relevant sections of the SARA Policy Manual, including section 2.5.(o), in order to better explain and/or clarify the role of host state regulators as it pertains to distance education offered by branch campuses. The impact on state regulatory and statutory SARA authorizing language that conflicts with the clarifications will need to be addressed.

Further context for this recommendation can be found in the narrative and diagrams used by the Working Group. These can be found in Appendices C and D.

4. Review and define specific terms used in the SARA Policy Manual with respect to branch campuses, including the terms “origination” (generation) and “delivery” of distance education.
It is important to define these terms in order to remove any inconsistency in the application of SARA policies. Further details about this recommendation can be found in Appendix C.

5. Develop and distribute a survey to state SPEs to identify challenges and emerging issues they are experiencing in regulating distance programs as they relate to branch campuses, as well as what is working well.

NC-SARA staff has created a SPE Advisory Committee to assist in providing feedback on the development of educational programming for SPEs and institutions, and in creating the agenda and sessions for SPE meetings and conferences. This Advisory Committee may also assist in the development of the branch campus SPE survey. It is important to note NC-SARA already sends out a SPE Engagement Survey which asks similar questions. One possible way to survey states on the issue of branch campuses would be to add a question on this topic to the existing engagement survey.
SELECTED REFERENCES

Yockey-Fine, Jeannie, General Counsel, NC-SARA; Mary Larson, Executive Director for Student and Institution Support, NC-SARA; Alan Contreras, Senior Consultant, NC-SARA; Cheryl Dowd, Director, WCET/State Authorization Network; and Shari Miller, Consultant, Institutional Compliance Matters, “Oversight of Branch Campuses of Institutions that Participate in SARA,” (December, 2020).
APPENDICES

Appendix A

NC-SARA Board Initiates Branch Campus Working Group

Background
Since the inception of NC-SARA, SARA policy regarding branch campuses has been a topic of recurring discussion. At the spring 2020 NC-SARA board meeting, a number of recommended modifications regarding branch campuses were tabled, as board members suggested further discussion was needed prior to voting on modifications intended to improve understanding of current policy.

Work Group Appointments
The NC-SARA Board has called for a Branch Campus Working Group whose members are appointed by the Board Chair with input from the board, the NC-SARA staff, and the four regional compacts. The Branch Campus Working Group is chaired by two board members, Susan Heegaard, a regional compact president, and Belle Wheelan, president of the SACSCOC accrediting body, with extensive experience with branch campuses. The Working Group includes a state portal entity/regulator from each of the four regions and institutional representatives from different sized institutions that have branch campuses, have many online programs, and enroll in multiple states. These institutions know well the issues associated with branch campuses. The Working Group also includes NC-SARA’s president Lori Williams. NC-SARA’s General Counsel, Jeannie Yockey-Fine serves as a resource to the Group.

Working Group Activity Period

Start date: October 30, 2020
End Date: May 3, 2021

Work Group Purpose and Charge
The purpose of the Branch Campus Working Group is to create a forum for multiple stakeholder voices to discuss and assist in resolving issues associated with NC-SARA policy regarding branch campuses. The Group is charged with:

1. Providing input on the first draft of a Branch Campus White Paper written collaboratively by NC-SARA and WICHE Cooperative for Educational Technologies State Authorization Network (WCET/SAN) staff. The draft Branch Campus White Paper will be shared with the group immediately following the October 28-29, 2020 Fall NC-SARA Board Meeting.

2. Considering the issues associated with NC-SARA’s branch campus policy and sharing input on potential future changes to this policy.

3. Writing a final recommendation report to the NC-SARA board for consideration by April 3, 2021, one month ahead of the Spring 2021 Board Meeting.
Working Group Composition
The following participants are invited serve on the Working Group:

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<th>Name</th>
<th>Title</th>
<th>State</th>
<th>Role/Compact Association</th>
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<tr>
<td>Belle Wheelan</td>
<td>Board Member</td>
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<td>N/A</td>
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<tr>
<td>Susan Heegaard</td>
<td>Board Member and Compact President</td>
<td>N/A</td>
<td>MHEC</td>
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<tr>
<td>Betsy Talbot</td>
<td>Manager, Private Institution Registration and Licensing, Minnesota Office of Higher Education</td>
<td>MN</td>
<td>MHEC</td>
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<tr>
<td>Julie Woodruff</td>
<td>Assistant Executive Director and Lead Attorney for the Tennessee Higher Education Commission, Division of Postsecondary State Authorization</td>
<td>TN</td>
<td>SREB</td>
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<tr>
<td>Leslie Templeman</td>
<td>Director Office of College and University Evaluation NYS Education Department</td>
<td>NY</td>
<td>NEBHE</td>
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<tr>
<td>Sam Loftin</td>
<td>Director of Consumer Protection, Washington Student Achievement Council</td>
<td>WA</td>
<td>WICHE</td>
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<tr>
<td>Peter Smith</td>
<td>Board Member; Orkand Chair and Professor of Innovative Practices in Higher Education, University of Maryland Global Campus</td>
<td>MD</td>
<td>Institution</td>
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<tr>
<td>Shellie Haut</td>
<td>Executive Director/Licensure, Regulatory Services &amp; Human Capital, Central Michigan University</td>
<td>MI</td>
<td>Institution</td>
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<tr>
<td>Vicki Mangiapane</td>
<td>General Counsel, University of Phoenix</td>
<td>AZ</td>
<td>Institution</td>
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<tr>
<td>Tyson Heath</td>
<td>Senior Manager for Academic Engagement &amp; University Compliance and Title IX, Western Governors University</td>
<td>UT</td>
<td>Institution</td>
</tr>
<tr>
<td>Lori Williams</td>
<td>President &amp; CEO</td>
<td>N/A</td>
<td>NC-SARA</td>
</tr>
<tr>
<td>Jeannie Yockey-Fine</td>
<td>General Counsel</td>
<td>N/A</td>
<td>NC-SARA; Legal resource to the committee</td>
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Appendix B

White Paper
Oversight of Branch Campuses of Institutions that Participate in SARA

Authors:
Jeannie Yockey-Fine, General Counsel, NC-SARA
Mary Larson, Executive Director for Student and Institution Support, NC-SARA
Alan Contreras, Senior Consultant, NC-SARA
Cheryl Dowd, Director, WCET/State Authorization Network
Shari Miller, Consultant, Institutional Compliance Matters

Executive Summary
Branch campuses have a long history in higher education, with most located in the same state as the main campus. When a branch campus is located in another SARA state away from the main campus and the branch campus has established a physical presence under SARA, there may be ambiguity about which state retains regulatory oversight of branch campus educational activities. This white paper offers clarity for SARA states and institutions experiencing any regulatory confusion when the location of a branch campus with a physical presence is in a different SARA state than the location of the main campus, as recognized by the U.S. Department of Education (ED) and the accreditor.

NC-SARA, after much consideration and input from stakeholders has proposed clarifying language that is consistent with existing SARA policy and philosophy. This white paper provides clarity concerning the history of branch campuses, the SARA use of the IPEDS branch campus definition, the definition of physical presence, and the role of SARA state portal entities (SPEs) and regulators in governing Branch Campus educational activities. It is important to note that under current SARA policy, educational activities taking place at or from a Branch Campus within the state where the Branch Campus is located are governed by the Host State; whereas educational activities provided by the Branch Campus outside of the Host State, such as distance education, are governed by the Home State.

Introduction
The State Authorization Reciprocity Agreements (SARA) is an agreement among member states, districts and territories that establishes comparable national standards for interstate offerings of postsecondary distance education. SARA provides a consistent pathway for state regulatory oversight of the distance education activities of institutions in all member states using a foundational principle of the "Home State," which is the single SARA member state where the institution’s Main Campus is located, legal domicile of the institution is held and from where it received its initial authorization to issue degrees.

As a result of the regulatory relationship between the state and institution established through the Home State regulatory process, the institution's Home State is the appropriate entity to enforce compliance with applicable SARA policy on the institution for its interstate educational activities, as
directed in the SARA Policy Manual. The established relationship between the Home State and the institution provides consistency in oversight of and uniform interactions with the institutions in each SARA member state so as to best benefit the student. All other SARA policies and requirements are based on the Home State concept.

At the institutional level under SARA, a key eligibility requirement for institutional participation is accreditation by an accreditor that is recognized by ED. How an institution is accredited also determines for SARA purposes whether an institution with other campuses that are physically separate from its Main Campus is considered one institution or separate institutions. This distinction is important when considering SARA oversight for Branch Campuses. Branch Campuses that operate under the accreditation of a Main Campus are not considered separate institutions for purposes of SARA.

This paper reviews the background of branch campuses, the rationale for selecting the IPEDS definition of a branch campus as the official SARA policy definition, the SARA definition of physical presence, what state agency/SARA state portal entity (SPE) should be governing the various educational activities taking place at or from the Branch Campus, and proposed policy language to clarify the relationship of the Home State and Host State to the Branch Campus’ activities.

Background
Branch campuses have been in existence for over 100 years and are “likely to play an even more critical role in the future, especially at institutions, public or private, that need increased enrollment from adult learners in order to address financial challenges” (Bird, C., 2011). A Perspective on the Future of Branch Campuses. Coalition of Urban and Metropolitan Universities. As institutions continue to try to reach more students and become more geographically dispersed with mergers and acquisitions, the establishment of Branch Campuses outside the institution’s Home State will increase. This expansion is resulting in regulatory challenges for the state agency in the Home State (and the Host State) that is tasked with regulating and monitoring the educational activities of institutions within the state.

The focus of this white paper is on out-of-state Branch Campuses, reconciliation of the tension between Home State and Host State regulatory oversight when physical presence is triggered, and the importance of how a Branch Campus is accredited and identified by the accreditor.

The definitions of “branch campus” vary depending upon the organization. The definition that ED recognized accreditors and ED use (U.S. Code of Federal Regulations, 2020) include the same four elements:

“Branch campus: An additional location of an institution that is geographically apart and independent of the main campus of the institution. The Secretary considers a location of an institution to be independent of the main campus if the location –

(1) Is permanent in nature;

(2) Offers courses in educational programs leading to a degree, certificate, or other recognized educational credential;
(3) Has its own faculty and administrative or supervisory organization; and

(4) Has its own budgetary and hiring authority.”

Integrated Postsecondary Data System (IPEDS) defines a branch campus as “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 (Integrated Postsecondary Data System, 2019).”


“Section 1.5. “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. (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)) (NC-SARA, 2020).”

The integration of institutional accreditation and SARA membership (and oversight) of Branch Campuses is further explained in the SARA Policy Manual in Section 3.1(h)(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 (NC-SARA, 2020).”

Why this is important from a practical perspective is because if a campus is deemed to be a Branch Campus, it impacts which state agency/SPE has regulatory authority over the specific educational activities taking place at or from the Branch Campus. The distinction dictates whether the Home State versus the Host State has authority over the specific educational activities of the institution at the Branch Campus. Of interest here are the SARA participating institutions that maintain Branch Campuses located outside of the Home State of the Main Campus which are located in Host States. The SARA Policy Manual also defines “Host State” as “a SARA-Member State in which an institution operates under the terms of SARA, other than the Home State (NC-SARA, 2020).”

There has been some confusion among a handful of states regarding how SARA policy should be applied to a Branch Campus whose activities trigger physical presence in the Host State. According to the SARA Manual, 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,” (e.g., the Host State), such as having a physical location for students to receive synchronous or asynchronous instruction, establishment of an administrative office, and so forth. States agree to accept the SARA definition of Physical Presence rather than their own when they become a SARA member state. A Branch Campus may have Physical Presence in a Host State and in such circumstances as intended
by SARA policy, the Host State oversees the Branch Campus for all educational activity in that state, including any portion of a program that is delivered to the Host State from another campus of the same institution which is located in the Home State or another SARA state. However, interstate distance education generated by the Branch Campus in the Host State and delivered outside that state, is under the oversight of the Home State as would be any other interstate distance education activity by that SARA participating institution. Interstate distance education activity, therefore, is treated the same as such activity delivered from the Main Campus. Under SARA policy:

- The Branch Campus has no SARA approval on its own to provide interstate distance education; it is acting under the jurisdiction of the Home State's approval of the Main Campus.
- SARA oversight of the interstate distance education activities of the Branch Campus is provided by the Home State of the Main Campus of the institution.
- The Branch Campus Host State has oversight for the in-state educational activities of the Branch Campus.

Solution
The following guiding principles regarding Branch Campuses have been identified and are applicable to this discussion:

- **Home State Primacy.** The SARA participating institution's Home State is the appropriate entity to enforce compliance with applicable SARA policy on the institution for its interstate distance education activities.
- **Branch Campuses are not Separate Institutions.** 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.
- **Home State Primacy over Distance Education Activity in Any SARA State.** Interstate distance education generated by the Branch Campus in the Host State and delivered outside that state is under the oversight of the Home State as would be any other distance education activity by that SARA participating institution; the distance education activity, therefore, is treated the same as such activity delivered from the Main Campus.
- **Branch Campus Oversight for In-State Distance Education.** The Branch Campus Host State has oversight for the in-state distance education activities of the Branch Campus. It never has oversight for distance education delivered outside its own boundaries. Host State regulatory agencies may require institutions to comply with their state authorization requirements if the institution has created a physical presence in the Host State.
- **Face-to-face and Hybrid Learning.** The Host State has oversight for face-to-face learning at a Branch Campus in its state and any portion of a program that is coming into the Host State from the Main Campus or other SARA state from the same institution. In situations in which there is both face-to-face and distance learning originating from a Branch Campus, the Branch Campus Host State has oversight over both the face-to-face learning taking place at the Branch Campus and in-state distance education.
- **Primacy of NC-SARA's Definition of Physical Presence.** When states join NC-SARA, they agree to the NC-SARA definition of physical presence and therefore their own physical presence definitions do not apply to SARA participating institutions and their Branch Campuses' distance education activities. Physical presence, as defined by SARA, does not
include a Host State having oversight of SARA activity (that is, interstate distance education) by a Branch Campus.

- Previous SARA Branch Campus Policy Modifications Do Not Constitute Substantive Changes. NC-SARA has made modifications to the wording in its policies regarding Branch Campuses over the years, in order to better clarify its policy.

In an attempt to resolve the confusion that has arisen in some SARA states, NC-SARA and its board members have seriously considered how the language in the SARA Policy Manual is affecting Home State versus Host State oversight of a Branch Campus (when physical presence is triggered). After considerable reflection and discussion with stakeholders, NC-SARA drafted clarifying language to address the ongoing confusion and lack of consistency regarding Branch Campus oversight. The proposals were presented at the Spring 2020 Board Meeting and tabled, awaiting further clarification of policy and process. A Branch Campus Working Group was established to review and recommend a solution to this issue.

Clarifications and revisions to the SARA Policy Manual are presented here to achieve a reasonable and logical solution as is evidenced by the activity from the Spring 2020 NC-SARA Board meeting which included the following proposed language for the relevant sections in the SARA Policy Manual that although tabled pending the work of the Board appointed Branch Campus Working Group, touch on the concept of Branch Campuses, student complaints and distance education, and are illustrative of the need for consistency in the appropriate governance of Branch Campus activities:

**Student complaints**

There are two sections from the SARA Policy Manual, Version 20.3 concerning student complaints that are relevant to Branch Campuses, Section 2.5(i)(7) and Section 4.4(d) (NC-SARA, 2020).

In Section 2.5(i)(7), clarifications regarding SARA student complaints for students attending an out-of-state Branch Campus were proposed. The rationale for this clarification was that NC-SARA staff and compact staff often receive questions about whether it is the Home State or Host State that holds responsibility for complaint resolution in case of a complaint against a Branch Campus.

The NC-SARA Board considered a do-nothing scenario, which was not recommended because it did not resolve the issue of additional clarification that it is the responsibility of the Home State, where the institution’s Main Campus or office is located to receive and resolve such complaints. The Board also considered adding a new sentence to provide clarity about complaints against Branch Campuses. This edit was recommended so that NC-SARA’s staff, compact staff, and SPEs will be able to point to the new sentence in the SARA Policy Manual to provide clarity that it is the responsibility of the Home State, where the institution’s Main Campus or office is located to receive and resolve complaints.

The clarifying language in italics that was proposed for Section 2.5(i) as subsection (7) is:

*The Home State Portal Entity is responsible to determine the disposition of a complaint against a Branch Campus of any of its SARA participant institutions.*

The treatment of SARA student complaints from a Branch Campus in Section 4.4 (d), and consideration of how NC-SARA treats Branch Campuses, has also been the topic of discussion. One
aspect of this discussion was the treatment of student complaints and whether such complaints should be considered and resolved by the Host or Home State SPE. The NC-SARA Board considered a do-nothing scenario, which was not recommended because it would not resolve the confusion and lack of consistent practice that was occurring. The Board also considered adding a section to provide clarity about the process for filing a complaint when a Branch Campus is involved which was recommended because this modification will clarify that a student may choose either the Home or Host State’s portal entity for assistance in resolution. Ultimately the SPE in the Home State is responsible, yet giving students the option to choose either state, will result in a fairer and more just practice for students. It is important to note that the Host State’s SPE is required to inform the Home State for consideration and resolution.

The clarifying language in italics was proposed for Section 4.4.(d):

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

A student enrolled in a Branch Campus may complain to the State Portal Entity where the Branch Campus is located or to the institution’s Home State Portal Entity. The State Portal Entity receiving the complaint shall notify the other affected State Portal Entity of the complaint. The Home State Portal Entity is responsible to determine the disposition of a complaint against a Branch Campus of any of its SARA participant institutions.

The SPE 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 SPE 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.

Distance Education

In Section 2.5(o) clarification of regulation of online/Distance Education activities by the Host State was addressed because NC-SARA staff, compact staff, and SPEs receive frequent questions regarding Branch Campuses. As with the clarifications above, alternatives and rationales were considered.

The NC-SARA Board considered a do-nothing scenario, which was not recommended because it failed to address the source of confusion. The Board also considered adding a new sentence to provide clarity about the ability of a Host State to regulate distance activities within its state. This was recommended because this modification provides clarity about the ability of a Host State to regulate online and distance education activity within its state when physical presence is established. It also clarifies that the Host State will not regulate distance activity outside the state.

Relationship between Host state and Branch Campus

As with student complaints pertaining to Branch Campuses, NC-SARA drafted clarifying language to address the ongoing confusion and lack of consistency regarding which state is responsible for regulatory oversight of Branch Campus educational activities generated and delivered within the Host
State. The proposal was presented at the Spring 2020 Board Meeting and tabled, awaiting further clarification of policy and process and recommendations from the Branch Campus Working Group.

NC-SARA drafted the following language to clarify the relationship between the Branch Campus and the Host State and maintain consistency in application. This solution is to prevent the issue of states splitting regulatory oversight of a particular academic program, which provides no benefit to the students in that program.

NC-SARA proposed this language regarding the role of the Host State for SARA purposes in SARA Manual Section 2.5 (new language is italicized and deleted language is crossed out):

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

o. If a Branch Campus separate campus that operates under the accreditation of a Main Campus engages in educational activities that constitute a physical presence under SARA establishes Physical Presence (under SARA provisions) in a SARA state, the Branch Campus Host State may regulate Distance Education and Branch Campus-based activities the online/Distance Education activities of the institution within the boundaries of the Branch Campus Host State as well as activities of the separate campus. The Branch Campus separate campus is not considered a separate institution for purposes of SARA.

Conclusion
Branch campuses have been in existence for many years and will continue to be of vital importance to institutions as they develop approaches to educate more students. While most branch campuses are in the same state as the main campus, especially for public institutions, there are many branch campuses that are located outside the state where the institution’s main campus resides. While there are multiple definitions of Branch Campus that are similar, SARA has elected to use the definition from IPEDS for consistency and ease in reporting for institutions.

Regarding SARA’s oversight of Branch Campuses, if the Branch Campus is listed under the accreditation of the Main Campus, that Branch Campus is regulated by the SARA portal entity in the institution’s Home State. Educational activities taking place at or from a Branch Campus within the state where the Branch Campus is located are governed by the Host State; whereas educational activities provided by the Branch Campus outside of the Host State, such as distance education, are governed by the Home State.

After considerable input and review, and in an attempt to reconcile the tension between Home State and Host State governance of Branch Campus educational activities, NC-SARA has proposed language that clarifies its intent to continue to allow home-state oversight of any interstate distance education activities generated by a Branch Campus; any distance education activities that take place within the state where the Branch Campus is located are under the oversight of the Host State. This approach maintains consistency in policy application of other SARA governed activities such as student complaints between the Home and Host State.
References


Appendix C

NC-SARA Branch Campus Working Group

Issue: Oversight of Branch Campuses of Institutions that Participate in SARA

By Vicki Mangiapane

• Branch Campuses and Physical Presence

The physical location of a branch campus creates a physical presence in any state where it is located; therefore, an out-of-state branch campus will always have a physical presence in the Host State and comes under the Host State’s regulatory authority and must meet the Host State’s non-SARA requirements. See SARA 5.10(a)(1) definition. This typically requires institutional approval by the Host State as well as individual program approvals for programs being offered at the campus. The White Paper notes on page 1, “Under current SARA policy, educational activities taking place at or from a branch campus within the state where the branch campus is located are governed by the Host State; whereas educational activities provided by the branch campus outside of the Host State, such as distance education, are governed by the Home State.” This rule as well as the foundational principle of “Home State” under the SARA framework are the key factors needed to be kept in mind as we work through the details of educational activities occurring at branch campuses and who regulates them.

• Inside vs. Outside State Lines - The White Paper sets forth the following statements which appear to have general agreement:

1. Interstate distance education generated by the Branch Campus in the Host State and delivered outside that state is under the oversight of the Home State (pg. 4).
2. SARA oversight of the interstate distance education activities of the Branch Campus is provided by the Home State.
3. The Branch Campus Host State has oversight for the in-state distance education activities of the Branch Campus. It never has oversight for distance education delivered outside its own boundaries.
4. Branch Campus Host State has oversight over both the face-to-face learning taking place at the Branch Campus and in-state distance education generated from the branch campus (suggested addition) (pg. 4).
5. The Home State is responsible for all interstate distance education activity that the institution offers under the auspices of SARA (Manual 3.1(f)(3)).
• The Issue of Generation vs. Delivery - Neither one of these terms is specifically defined in the SARA manual and this will likely be necessary as the roles of Home and Host States are further clarified with respect to branch campuses. What does “generation of distance education” from a branch campus mean? If we look to plain meaning, phrases like “originating from”, “taking place at or from”, “offered by or through”, “facilitated by or through”, may align to SARA’s premise that distance education has an origination point that must be from the branch campus. We next determine whether the distance education generated by or offered through the branch campus is regulated by the Home State under SARA when offered interstate or the Host State under their regulations when offered intrastate.

This leads us to the next prong of “delivery” which is not as clear. What does “delivery” intrastate mean? It is presumed this is given context when any student within the state (whether they are a resident or not) receives the distance education within the physical boundaries of the state. How does one determine the “delivery” of distance education when it cannot physically stop “in the wires” at the state’s border? Since this is not really possible, the location of the student receiving the distance education determines whether it is within the boundaries of the state or outside the boundaries of the state. Again, under SARA’s White Paper, the authority of the Host State would be over any distance education originating from the branch campus delivered to students within the Host State. For students located outside the state’s boundaries receiving distance education from the branch campus, their program is regulated by the institution’s Home State under SARA.

• Host State Authorization - May the Host State base its authorization of distance education being offered through a branch campus intrastate on the Home State’s SARA approval? A Host State could base its authorization to a branch campus to offer a distance education program intrastate when the same program of the institution has SARA approval through its home state if desired. For example, in the instance where the program is identical and is approved by the Home State under SARA (meeting all C-RAC and other requirements) the Host State may decide to accept the SARA approval status with the home state as sufficient to authorize the program at the branch campus for offering intrastate. This could be a similar way for a Host State to authorize hybrid programs offered through branch campuses as well. Per SARA policies, the Host State will regulate both the in-person and virtual portions of a hybrid program being offered through a branch campus. The Host State could determine (as some have during the pandemic) that if the program is also approved as a fully distance education program by the Home State under SARA, the offering of the program in whole or in part in a virtual format per the student’s choice does not require additional approval if offered to students within the Host State. The Host State could determine that the regulatory scheme under SARA to which the program
is subject to is sufficient as it is for all other students in other SARA member states receiving the same program and authorize the program.

A concern voiced by some regulators on the working group is the circumstance when a branch campus is offering a distance education program that is not approved or offered within its Home State. Under the principles discussed, the Host State would have regulatory authority over the in-state offering of the distance education program by the branch campus. However, the institution would have no choice but to get the program approved by their Home State if they wanted to offer it interstate under SARA. Otherwise, they would need to obtain state authorization individually in every other state outside the Host State where the branch campus is located if not otherwise approved by SARA. SARA participating institutions are required to provide a list of all of their distance education programs they offer in SARA member states and are required to provide evidence of Home State approval for each program.

- **Face-to-Face and Hybrid Learning** – The White Paper states that the “Host State has oversight for face-to-face learning at a branch campus in its state and any portion of a program that is coming into the Host State from the Main Campus or other SARA state from the same institution” (emphasis added). “In situations where there is both face-to-face and distance learning originating from a branch campus, the branch campus Host State has oversight over both the face-to-face learning taking place at the branch campus and in-state distance education.” (pg. 4).

The regulatory authority over any distance education originating from the branch campus in the Host State is necessarily program specific. An institution may never originate distance education programs from a branch campus. In that scenario, only the face-to-face programs running at the campus would be subject to Host State regulation. The SARA framework should not operate as general authority for the Host State to engage in regulation of ALL of an institution’s distance education programs that are not offered by, though, or originating from, the branch campus in the Host State. Some states have engaged in regulatory overreach in this regard and simply because an institution has a branch campus, they attempt to regulate distance education programs of the institution that are not being offered at or through, or originating in whole or in part, from the branch campus. Any distance education program offered in whole or in part from a branch campus in the Host State is subject to regulation – but the regulatory authority of the Host State must have a nexus to the actual educational activities taking place at the branch campus. This requires regulatory authority to authorize on a program basis for those programs offered through the branch campus in the Host State. It should not trigger authority to review and approve all distance education programs of an institution that do not originate from that branch campus. Those distance educational activities are approved under
SARA and are offered interstate as they are not originating from, offered through, or facilitated by the branch campus. There is no basis or reason for further regulation as these are approved SARA programs by the Home State and accepted by all SARA member states according to the SARA compact.

Additionally, some regulators have attempted to regulate an institution’s distance education programs through a physical presence that is unrelated to engaging in education activities. Simply having a non-instructional administrative site should not trigger Host State regulation of the distance education programs offered by that institution when there is no physical presence that is providing that distance education. Again, those activities should be considered interstate and covered by the Home State authority under SARA. Host State regulation must require a functional analysis of the physical presence activity within the Host State. This needs to be clarified by SARA so it is clear that oversight at branch campuses is in regard to the specific distance education programs offered in whole or in part originating from, by, or facilitated through a branch campus within the Host State.
Appendix K: Branch Campus Process Document

BRANCH CAMPUS PROCESS & DIAGRAMS

On March 19, 2021, the NC-SARA Branch Campus Working Group published a report to the NC-SARA Board. The following six diagramed scenarios were attached to that report and are offered at this time to aid readers’ understanding of the NC-SARA branch campus policy as written in the SARA Manual (Version 21.1) with clarifying revisions recommended by NC-SARA staff during the October 2021 NC-SARA Board meeting. The diagrams answer questions regarding responsibilities for state authorization and complaint investigation.

During its meetings, the working group acknowledged that the differing structures of State Portal Entities (SPEs) and states’ traditional regulatory frameworks influence states’ ideas of how reciprocity of branch campuses should function. Differing structures include, for example,

(1) a single agency or division acting as both the SPE and the traditional regulator or (2) a stand-alone SPE agency and a separate traditional regulatory agency. Traditional regulatory frameworks range from highly rigorous to having few regulatory requirements.

The diagramed scenarios provide guidance regardless of a state’s structure or framework as to how both the SPE and the traditional regulator should address branch campuses when the state is a SARA member. When becoming a SARA member or when continuing membership, a state agrees “that the state will abide by SARA requirements as established in the Unified Agreement and the SARA Policy Manual,” even in those instances in which home state policy differs from SARA policy. In addition, with respect to the Application and Approval Form for State Membership in SARA, Section 2, the diagrams will be useful. The diagramed scenarios illustrate the SARA requirements for both SPEs and traditional regulators and is intended to serve as go-to tool for both thereby providing uniformity in application of SARA’s policies.
Appendix D
Branch Campus Scenarios Diagrams
By Julie Woodruff
Scenario 1: Main Campus Providing Face-to-Face Instruction Only

- SARA is not involved in this instance because there is no distance education as defined by the SARA Manual.
- The question of whether and to what extent the main campus is regulated and required to obtain state authorization is determined based on the traditional regulatory framework in the BLUE and GREEN states.
- Depending on the traditional regulatory framework, the circled student in the GREEN State may be able to complain to the BLUE or GREEN State Regulator.
Scenario 2: Main Campus in Home State Providing Distance Education to Students Located in SARA Host States

- The **ORANGE** and **GREEN** Host States must recognize the SARA authorization of the Main Campus by the **BLUE** Home State and shall not impose any other authorization related requirements on the Main Campus.
- The Home State SPE is responsible for investigating SARA complaints from students in the Host States enrolled in Main Campus distance education instruction covered by SARA.
- Distance education offered within the Home State is not covered by SARA; therefore, complaints and authorization determinations are governed by the Home State’s traditional regulatory framework. **IN-STATE DISTANCE EDUCATION IS NOT COVERED BY SARA.**

This assumes that all states in the drawing are members of SARA.

Main Campus  Branch Campus  Student

**Distance Education**

**Face-to-Face Education**
Scenario 3: Main Campus in Home State Funneling Distance Education to a Branch Campus Located in SARA Host States

- Authorization:
  - The ORANGE and GREEN Host States must recognize the SARA authorization of the Main Campus by the BLUE Home State and shall not impose any other authorization related requirements on the Main Campus. PER SARA, A MAIN CAMPUS CAN FUNNEL DISTANCE EDUCATION TO A BRANCH CAMPUS WITHOUT CREATING A PHYSICAL PRESENCE IN THE BRANCH CAMPUS HOST STATE. However, the ORANGE Host State Regulator may have oversight of the intrastate distance education programs offered by the branch campus.
  - The ORANGE Host State Regulator may require authorization of the ORANGE Branch Campus depending on the traditional regulatory framework because the ORANGE Branch Campus is operating outside the allowances of SARA and the ORANGE Host State Regulator can therefore conduct its physical presence analysis.

- Complaints:
  - The BLUE Home State SPE is responsible for investigating SARA complaints from the GREEN Host State student enrolled in the Branch Campus distance education programs because the instruction is interstate.
  - The ORANGE Host State Regulator may be responsible for investigating complaints related to the intrastate distance education instruction offered by the ORANGE Branch Campus per the traditional regulatory framework. INTRASTATE DISTANCE EDUCATION IS NOT COVERED BY SARA.

This assumes that all states in the drawing are members of SARA.
Scenario 4: Branch Campus Located in SARA Host States Providing Distance Education

• Authorization:
  o The ORANGE and GREEN Host States must recognize the SARA authorization of the Main Campus by the BLUE Home State and shall not impose any other authorization related requirements on the Main Campus.
  o The GREEN Host State must recognize the SARA authorization of the Branch Campus by the BLUE Home State and shall not impose any other authorization related requirements on the Branch Campus.
  o The ORANGE Host State Regulator may require authorization of the ORANGE Branch Campus, including approval of its intrastate distance education programs, depending on the traditional regulatory framework. Because the ORANGE Branch Campus is operating outside the allowances of SARA, the ORANGE Host State Regulator can conduct its physical presence analysis.

• Complaints:
  o The BLUE Home State SPE is responsible for investigating SARA complaints from the GREEN Host State student enrolled in the Branch Campus distance education programs because the instruction is interstate.
  o The ORANGE Host State Regulator may be responsible for investigating complaints related to the intrastate distance education instruction offered by the ORANGE Branch Campus per the traditional regulatory framework. INTRASTATE DISTANCE EDUCATION IS NOT COVERED BY SARA.

This assumes that all states in the drawing are members of SARA.

Main Campus  Branch Campus  Student
Distance Education  Face-to-Face Education
Scenario 5: Branch Campus in Host State Providing Face-to-Face Education to Students Located in SARA Host States

- The **ORANGE** and **GREEN** Host State Regulators may require authorization of the Branch Campus depending on the particular Host State’s traditional regulatory framework.
- The **ORANGE** and **GREEN** Host State Regulators may be responsible for investigating complaints related to the face-to-face instruction offered by the Branch Campus per the particular Host State’s traditional regulatory framework.
- Depending on the Host State’s traditional regulatory framework, the circled student in the **GREEN** Host State may be able to complain to the **ORANGE** or **GREEN** Host State Regulator.
- **FOR PURPOSES OF SARA, THERE IS NO DISTINCTION BETWEEN THE ORANGE AND GREEN STATES WHEN IT COMES TO THE FACE-TO-FACE INSTRUCTION BECAUSE SARA DOES NOT APPLY TO FACE-TO-FACE INSTRUCTION.**
Scenario 6: Main Campus in Home State Providing Distance Education to a Branch Campus Located in SARA Host States & Hybrid Programs

**Authorization:**
- The **ORANGE** and **GREEN** Host States must recognize the SARA authorization of the Main Campus by the **BLUE** Home State and shall not impose any other authorization related requirements on the Main Campus. PER SARA, A MAIN CAMPUS CAN FUNNEL DISTANCE EDUCATION TO A BRANCH CAMPUS WITHOUT CREATING A PHYSICAL PRESENCE IN THE BRANCH CAMPUS HOST STATE. However, the **ORANGE** Host State Regulator may have oversight of the entire hybrid program so as to not split the program.
- The **ORANGE** Host State Regulator may require authorization of the **ORANGE** Branch Campus depending on the traditional regulatory framework because the **ORANGE** Branch Campus is operating outside the allowances of SARA and the **ORANGE** Host State Regulator can therefore conduct its physical presence analysis.

**Complaints:**
- The **BLUE** Home State SPE is ultimately responsible for investigating SARA complaints from the **GREEN** Host State hybrid student enrolled in the Branch Campus. While the final resolution rests with the **BLUE** Home State SPE, the **GREEN** Host State SPE may assist as needed.
- The **ORANGE** Host State Regulator may be responsible for investigating complaints related to all intrastate hybrid instruction, including distance education, offered by the **ORANGE** Branch Campus per the traditional regulatory framework. REGULATORY OVERSIGHT IS NOT SPLIT IN THIS INSTANCE BECAUSE INTRASTATE DISTANCE EDUCATION IS NOT COVERED BY SARA.
- The **ORANGE** or **GREEN** Host State Regulator may be responsible for investigating complaints from the **GREEN** Host State hybrid student with regard to face-to-face instruction.

This assumes that all states in the drawing are members of SARA.

**Main Campus** **Branch Campus** **Student**

**Red** Distance Education **Purple** Face-to-Face Education
Appendix L: Branch Campus Survey Questions

2021 State Portal Entity (SPE) Annual Survey
Branch Campuses

1. Describe the relationship between your entity as the SARA SPE versus the state authorization regulatory entity of your state.
   - The employees for the SPE and regulator are the same
   - The SPE and regulator are within the same agency and have established communications
   - The SPE and regulator are within the same agency and do not communicate
   - The SPE and regulator are in different agencies and have established communications
   - The SPE and regulator are in different agencies and do not communicate
   - Other (please specify)

2. Describe how your office, as the SPE, tracks out-of-state branch campuses.
   Open text box

3. Independent of your SPE oversight through SARA, does your agency have statutory and regulatory authority of the oversight of out-of-state branch campuses in the following scenarios? For purposes of this question, "originating" means "disseminating any distance education considered by the institution as being offered by that branch campus."
   Answers: Yes / No / Depends on sector
   - The out-of-state branch campus is originating distance education programs that are also offered at the main campus
   - The out-of-state branch campus originates distance education programs that are not offered at the main campus
   - The out-of-state branch campus does not originate distance education programs
   - The out-of-state branch campus is originating hybrid programs in addition to face-to-face or online programs

4. Independent of your SPE oversight through SARA, does your agency have statutory and regulatory authority to investigate complaints against an out-of-state branch campus when the main campus is in your state?
   Answers: Yes / No / Depends on sector

5. What challenges and emerging issues do you experience in overseeing distance education as it relates to branch campuses?
   Open text box

6. What is working well in your oversight of distance education as it relates to branch campuses?
   Open text box