



# **Having a MHEC of a Time With SARA and State Authorization!**

**July 30, 2015**

**Summer Institute on Distance Learning  
and Instructional Technology (SIDLIT)**

# PRESENTERS



# TODAY'S PRESENTATION



**Part I:** Understanding the State Authorization Reciprocity Agreement (SARA) and SARA Updates

**Part II:** Role of the State Portal Agency (SPA)

**Part III:** Cowley College: To SARA and Beyond

# Part I:

# Understanding the State Authorization Reciprocity Agreement (SARA) and SARA Updates

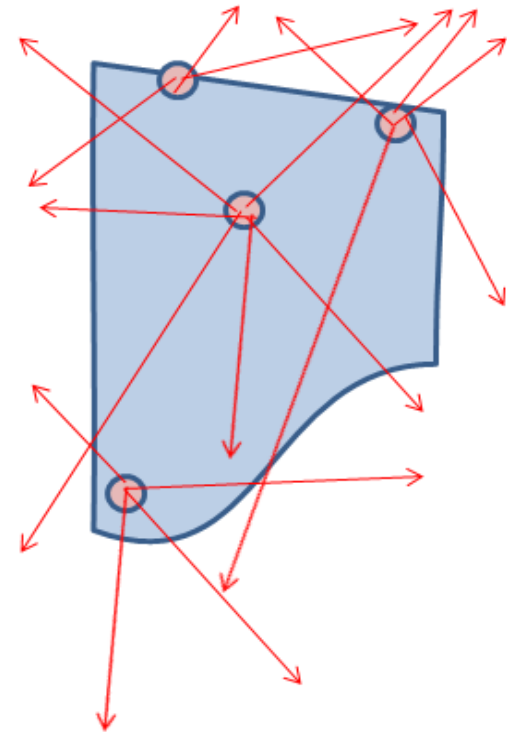
# THE CURRENT SYSTEM

Institutions seek authorization from every other state or territory where they hope to serve students

***\*\*Sample state with 4 institutions of higher education, with all offering on-line degrees in other states\*\****

- ▶ 4 institutions (>4000 in the US)
- ▶ x 54 states/territories
- ▶ x number of programs (*sometimes*)
- ▶ x number of students (*sometimes*)
- ▶ x amount of revenue (*sometimes*)

**MANY COSTS TO  
INSTITUTIONS AND  
STUDENTS**





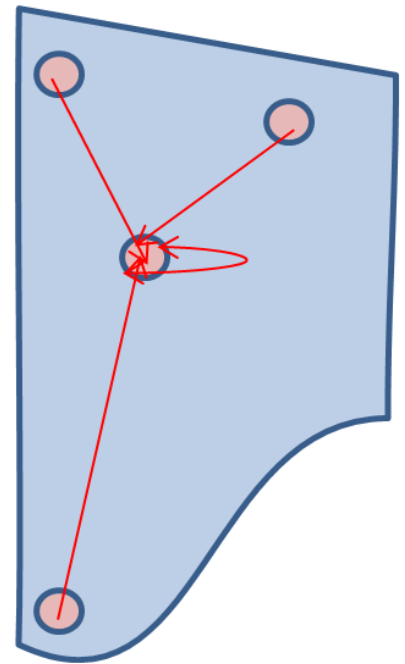
# The SARA Process:



Institutions seek approval from their home states which have joined SARA, and the state agency then regulates those institutions with regard to the export of on-line education across state lines to host states

- ▶ 4 institutions (*>4000 in the US*)
- ▶ x 1 state/territory
- ▶ x ~~number of programs~~ (*sometimes*)
- ▶ x ~~number of students~~ (*sometimes*)
- ▶ x amount of revenue (*sometimes*)

**REDUCED COSTS TO  
INSTITUTIONS AND  
STUDENTS**



# THE SARA SYSTEM

- ▶ NC-SARA Fee and State Fee (optional)
- ▶ One application
- ▶ One set of criteria
- ▶ Increase student enrollment
- ▶ Data collection and sharing
- ▶ One system of complaint resolution
- ▶ More compliance



**REDUCED  
COSTS**





# NC-SARA INSTITUTIONAL FEES

NC-SARA POLICIES AND STANDARDS

Page 6, Section 3:

Participation Fees (Annual to NC-SARA)

\$2,000/yr. for IHEs with under 2,500 FTE

\$4,000/yr. for IHEs with 2,500–9,999 FTE

\$6,000/yr. for IHEs with 10,000 or more FTE

*\*Based on 12 month unduplicated FTE as reported annually to IPEDS\**

*\*State Costs Vary\**

# SARA PRINCIPLES



- **Consistency across the Nation**
  - **\*Regional compacts working together coordinated by National Council for SARA (NC-SARA)**
- **Voluntary for states and institutions**
- **Non-redundant and efficient**
- **Trust between the states**

# KEY SARA ELEMENTS



Through reliance on established community expectations and its own expectations, SARA provides consistent standards and procedures for:

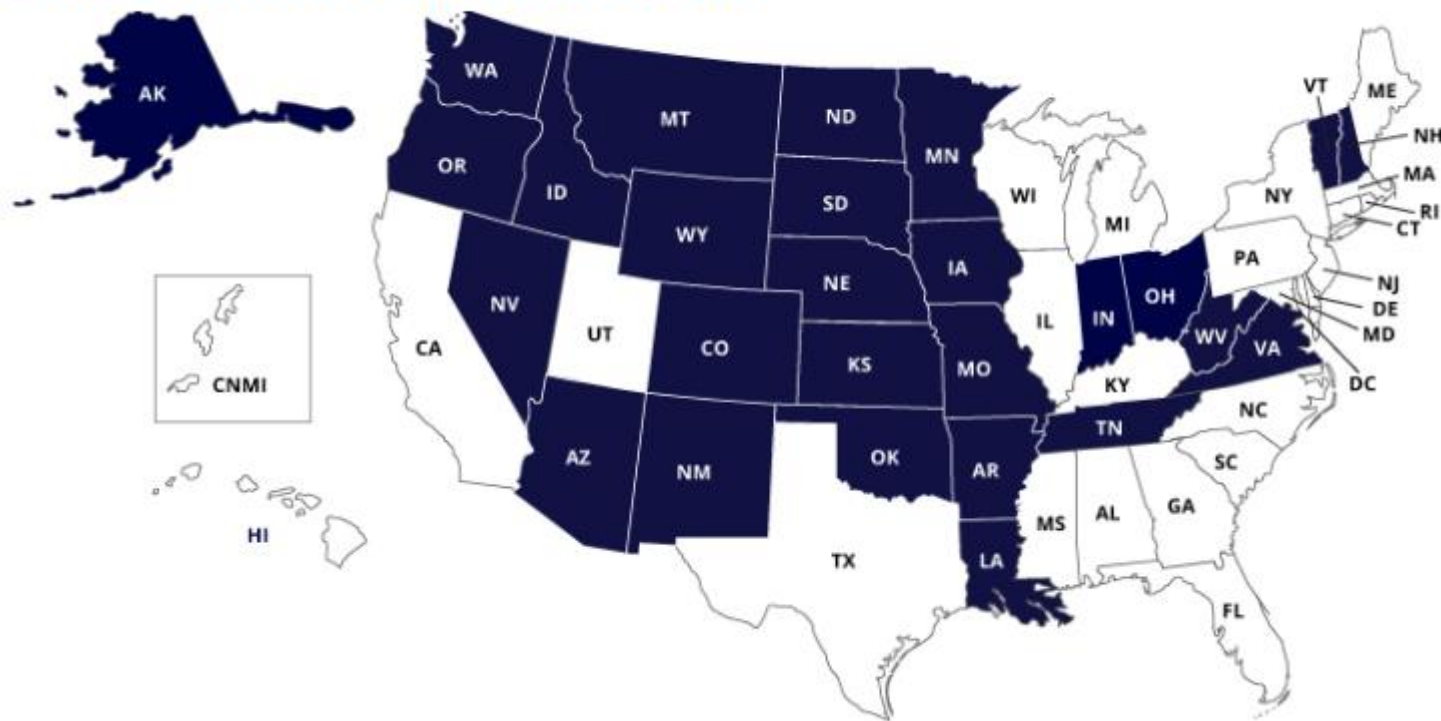
- Academic Integrity
- Financial Responsibility
  - “Physical Presence”
- Data Collection and Sharing
  - Catastrophic Closings
- Student Complaint Processes

# SARA Update

# STATES THAT HAVE ALREADY JOINED SARA = 27



## SARA States & Institutions



# SARA UPDATES FOR STATES



2. <http://www.nc-sara.org/content/sara-state-status>

## NC-SARA

National Council for State Authorization Reciprocity Agreements

- Home
- About ▾
- FAQs ▾
- Documents ▾
- News ▾
- Events ▾
- Links ▾
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### State Actions Regarding SARA

United States and Territories (regional compact)	Legislation Introduced	Legislation passed	Application to regional compact	Approved as SARA state
Alabama (SREB)	✓	✓		
Alaska (WICHE)	✓	✓	✓	05/13/2014
American Samoa				
Arizona (WICHE)	✓	✓	✓	11/11/2014
Arkansas (SREB)	n/a	n/a	✓	06/29/2015
California (WICHE)	✓			
Colorado (WICHE)	✓	✓	✓	05/13/2014
Connecticut (NEBHE)	✓			
Delaware (SREB)				
District of Columbia				
Florida (SREB)				
Georgia (SREB)	n/a	n/a		
Guam				
Hawaii (WICHE)	✓	✓		

#### Regional SARA Directors

##### MHEC

Jennifer L. Parks, M.A.  
 Director, M-SARA  
 Midwestern Higher Education Compact  
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 Minneapolis, MN 55401  
 612.287.5131  
[jennyp@mhec.org](mailto:jennyp@mhec.org)   
[www.mhec.org/sara](http://www.mhec.org/sara)

##### NEBHE

Sandra J. Doran, Esq.  
 Director, M-SARA

# 300+ INSTITUTIONS HAVE JOINED



<http://www.nc-sara.org/states/ks>

## NC-SARA

National Council for State Authorization Reciprocity Agreements

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## Kansas

### Approved SARA Institutions in Kansas

- Barton County Community College
- Butler Community College
- Central Christian College of Kansas
- Cloud County Community College
- Cowley County Community College and Area Vocational-Technical School
- Emporia State University

**What does my institution need to do?**

Application  
State Fees  
Process  
Renewal  
Benefits  
SARA Institutions by State

# Process of Joining SARA



# SARA MEMBERSHIP STEPS

## STAGE 1

A state must have the legal ability to join the agreement (usually this means passing a new law)

## STAGE 2

A state must set up its state portal agency (SPA) and the means by which it carries out its SARA duties

### Examples:

- *Use of an existing SHEEO office*
- *Use of another existing agency*
- *Creation of a new agency or council*

# SARA MEMBERSHIP STEPS

## STAGE 3

A state must submit its application to its regional compact and be approved for membership

## STAGE 4

Institutions apply to their SPAs once the SPAs are ready to accept applications

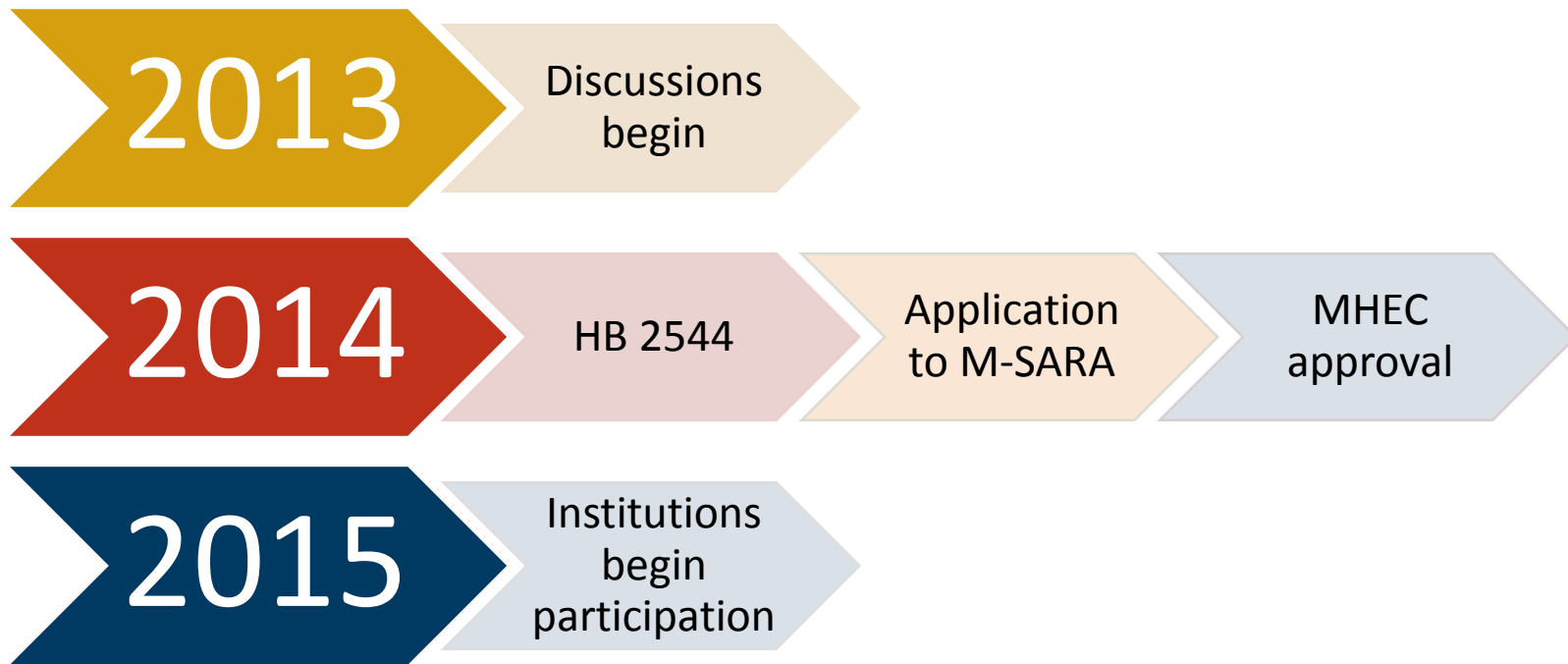
KANSAS BOARD OF REGENTS



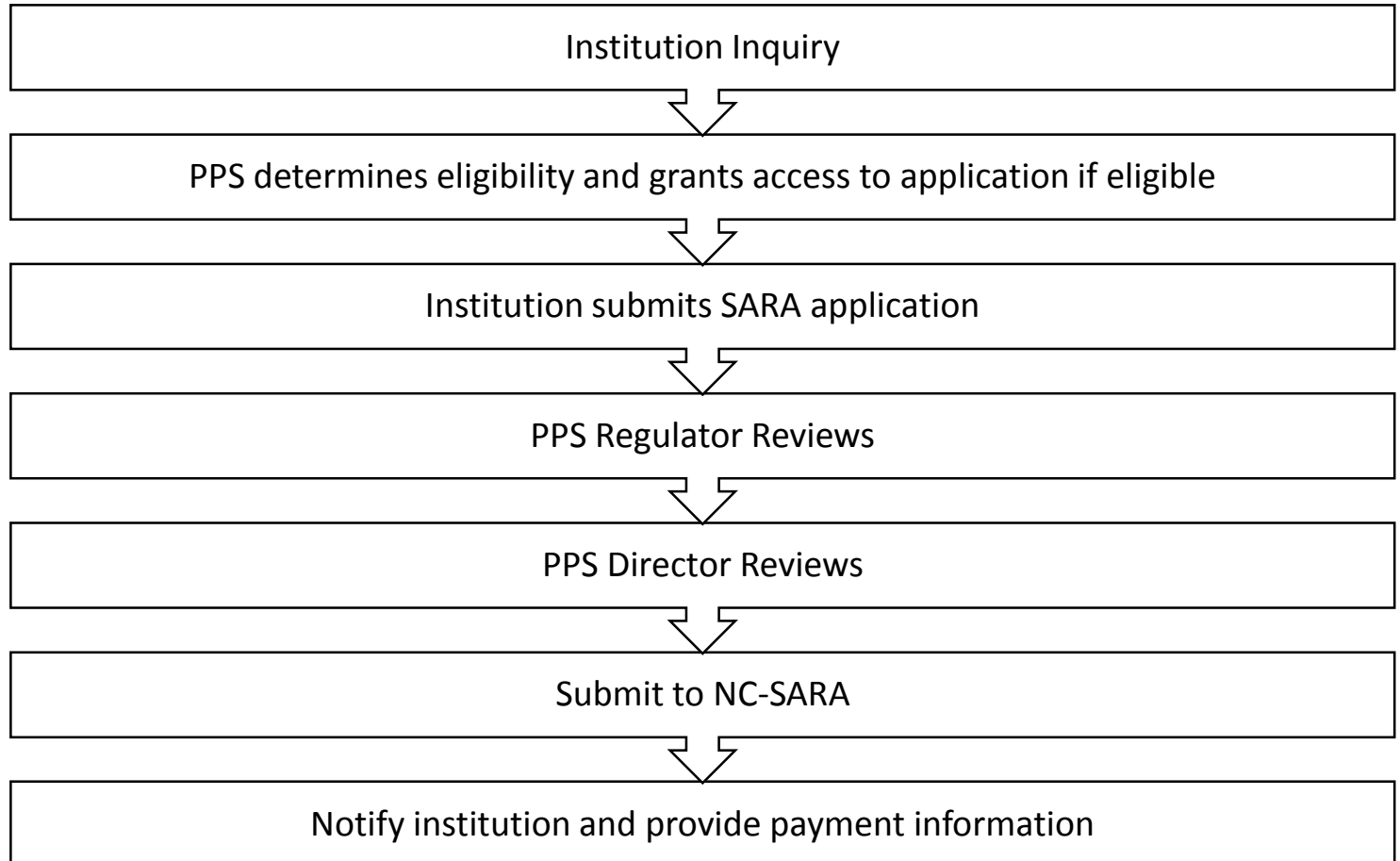
# Part II: Role of the State Portal Agency (SPA)

★ LEADING HIGHER EDUCATION ★

# Kansas's Pathway to Reciprocity



# Process for Kansas Institutions



# NC-SARA Application

## Documentation & Attestations



**Indicate Regional Compact:**

- Midwestern Higher Education Compact
- New England Board of Higher Education
- Southern Regional Education Board
- Western Interstate Commission for Higher Education

**Application and Approval form for Institutional Participation in SARA**

An institution applying to operate under the State Authorization Reciprocity Agreement (SARA) must submit this form to its home state's portal agency for SARA.

When a state checks "yes" on this form, the state affirms that the applicant institution has followed proper procedures and provided necessary documents to operate under SARA, but this affirmation does not necessarily represent state evaluation of the institution's ability to perform under SARA policies.

An institution seeking approval to operate under the terms and standards of SARA must meet the following requirements:

Applicant Institution affirms meeting the requirement Initial here		State Institution meets the requirement Yes No
<input type="text"/>	1. Have its principal campus or central administrative unit domiciled in a state that has joined the State Authorization Reciprocity Agreement (SARA) initiative and be authorized to operate in that state.* Only distance education content originating in the United States or a U.S. territory is eligible to be offered under SARA.** (Attach documentation)	<input type="checkbox"/> <input type="checkbox"/>
<input type="text"/>	2. Be a U.S. degree-granting institution that is accredited by an accrediting body recognized by the U.S. Secretary of Education. (Attach documentation)	<input type="checkbox"/> <input type="checkbox"/>
<input type="text"/>	3. For non-public institutions, have a financial responsibility index score from the U.S. Department of Education that is 1.5 or above, or, if its score is between 1.0 and 1.5, successfully demonstrate to its home state's portal agency that it is nevertheless sufficiently financially stable to justify participation in SARA. Public institutions are presumed to be sufficiently financially stable for SARA purposes. (Attach documentation) Public institutions leave this blank.	<input type="checkbox"/> <input type="checkbox"/>
<input type="text"/>	4. Agree to abide by the <i>Interregional Guidelines for the Evaluation of Distance Education</i> adopted by the Council of Regional Accrediting Commissions, as summarized in SARA policy 5(2)1-9. (See Appendix)	<input type="checkbox"/> <input type="checkbox"/>
<input type="text"/>	5. Agree to be responsible for the actions of any third-party providers used by the institution to engage in operations under SARA.	<input type="checkbox"/> <input type="checkbox"/>

**Applicant  
Institution affirms  
meeting the requirement**

Initial here

6. Agree to notify its home state's portal agency of any negative changes to its accreditation status.
7. Agree to provide data necessary to monitor SARA activities.
8. Agree to work with its home state's portal agency to resolve any complaints arising from its students in SARA states, and to abide by decisions of that entity.\*\*\*
9. Apply to its home state's portal agency over the signature of the institution's CEO or chief academic officer.
10. Agree to notify in writing all students in a course or program that customarily leads to professional licensure, or which a student could reasonably believe leads to such licensure, whether or not the course or program meets requirements for licensure in the state where the student resides. If an institution does not know whether the course or program meets licensure requirements in the student's state of residence, the institution may meet this SARA requirement by informing the student in writing and providing the student the contact information for the appropriate state licensing board(s). An e-mail dedicated solely to this purpose and sent to the student's best known e-mail address meets this requirement. The institution should use other means to notify the student if needed.
11. Agree, in cases where the institution cannot fully deliver the instruction for which a student has contracted, to provide a reasonable alternative for delivering the instruction or reasonable financial compensation for the education they did not receive.
12. Agree to pay to the state any state fees for SARA participation required by the home state for administering SARA.
13. Agree to pay its annual SARA participation fee to the National Council for SARA (NC-SARA). This single annual fee replaces any fees that the institution would ordinarily pay to other SARA member states.

**State  
Institution meets  
the requirement**

Yes No

\*SARA considers the home campus to be where an institution has its legal domicile. Any disputes about which state is the home state will be resolved for SARA purposes by the affected regional compacts or the National Council (NC-SARA), as needed.  
 \*\*The fact that a foreign institution is owned by a U.S. entity does not qualify distance education originating from the non-U.S. institution to be offered under SARA. Only distance education offerings under the oversight of the U.S. state or territory can be offered through SARA.  
 \*\*\*Complaints must follow the institution's customary resolution procedure prior to being referred to the state under SARA procedures. Grade appeals and student conduct appeals are not allowed under SARA.

# State Specific Application Requirements

- Fees
- Bond
- Financial Responsibility Index Scores

# Renewal Process



**Indicate Regional Compact:**

- Midwestern Higher Education Compact     New England Board of Higher Education  
 Southern Regional Education Board     Western Interstate Commission for Higher Education

## RENEWAL APPLICATION FOR INSTITUTIONAL PARTICIPATION IN SARA

An institution applying for renewal to operate under the State Authorization Reciprocity Agreement (SARA) must submit this form to its home state's portal agency for SARA participation.

When a state checks "yes" on this form, the state affirms that the applicant institution has followed proper procedures and provided necessary documents to continue operating under SARA, but this affirmation does not necessarily represent state evaluation of the institution's ability to perform under SARA policies. An institution seeking renewal must meet the following requirements:

**APPLICANT**  
Institution affirms meeting the requirement (initial boxes)

**STATE**  
Institution meets the requirement

- |                      |   |  |
|----------------------|---|--|
| <input type="text"/> | 1. The principal campus or central administrative unit remains domiciled in a state or district that has joined the State Authorization Reciprocity Agreement (SARA) initiative and is authorized to operate in that state.   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 2. The Institution retains its accreditation by an accrediting body recognized by the U.S. Secretary of Education.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 3. If non-public, the institution shall maintain a financial responsibility index score of 1.5 or above; and in the case of a score between 1.0 and 1.5, the portal agency has affirmed that sufficient documentation has been provided to support continued institutional participation in SARA. Public institutions leave this blank. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 4. The institution agrees to abide by the <i>Interregional Guidelines for the Evaluation of Distance Education</i> as summarized in SARA policy 5(2)1-9 and current NC-SARA Policies and Standards.   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 5. The institution agrees to maintain responsibility for the actions of any third-party providers used by the institution to engage in operations under SARA.   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 6. The institution agrees to notify its home state's portal agency of any negative changes to its accreditation status.   | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 7. The institution agrees to provide data necessary to monitor SARA activities as requested by NC-SARA or the state portal agency.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |

**APPLICANT**  
Institution affirms meeting the requirement (initial boxes)

**STATE**  
Institution meets the requirement

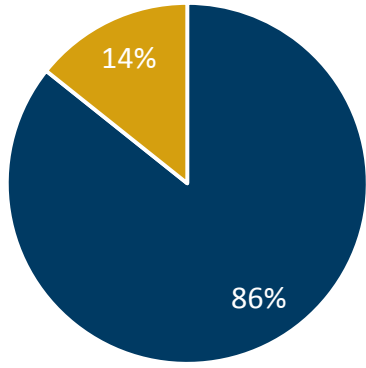
- |                      |  |  |
|----------------------|--|--|
| <input type="text"/> | 8. The institution agrees to work with its home state's portal agency to resolve any complaints arising from its students in SARA states, and to abide by decisions of that entity.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 9. The institution applies to its home state's portal agency for renewal over the signature of the institution's CEO or chief academic officer.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 10. The institution agrees to notify in writing all students in a course or program that customarily leads to professional licensure, or which a student could reasonably believe leads to such licensure, whether or not the course or program meets requirements for licensure in the state where the student resides. If an institution does not know whether the course or program meets licensure requirements in the student's state of residence, the institution may meet this SARA requirement by informing the student in writing and providing the student the contact information for the appropriate state licensing board(s). An e-mail dedicated solely to this purpose and sent to the student's best known e-mail address meets this requirement. The institution should use other means to notify the student if needed. | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 11. The institution agrees, in cases where the institution cannot fully deliver the instruction for which a student has contracted, to provide a reasonable alternative for delivering the instruction or reasonable financial compensation for the education they did not receive.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 12. The institution agrees to pay to the state any state fees for SARA participation required by the home state for administering SARA.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| <input type="text"/> | 13. The institution agrees to pay its annual SARA participation fee to the National Council for SARA (NC-SARA). This single annual fee replaces any fees that the institution would ordinarily pay to other SARA member states.  | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Rev. 5/12/2015



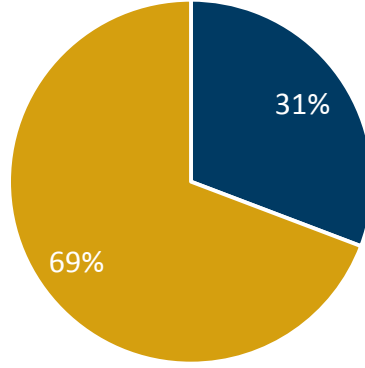
# Status of Kansas Institutions

Public Universities



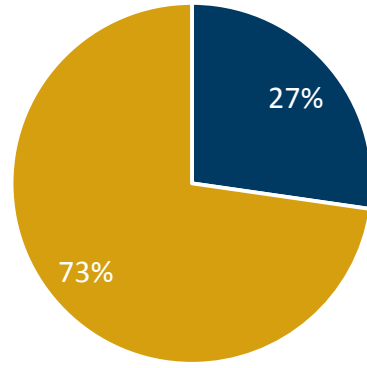
■ SARA ■ Non-SARA

Community & Technical Colleges



■ SARA ■ Non-SARA

Independent



■ SARA ■ Non-SARA



IN THIS SECTION:

- Academic Calendars
- Adult Education
- Credit for Prior Learning
- Developmental Education
- New Program Approval
- Performance Agreements
- Private/Out-of-State
- Program Search
- Qualified Admissions
- > SARA**
- Student Learning Assessment
- Teacher Education Initiatives
- Transfer & Articulation

## STATE AUTHORIZATION RECIPROCITY AGREEMENT (SARA)

Kansas is part of the State Authorization Reciprocity Agreement (SARA) through the Midwestern Higher Education Compact (MHEC). SARA is an agreement among member states, districts and territories that establishes comparable national standards for interstate offerings of postsecondary distance education courses and programs. It is intended to make it easier for students to take online courses offered by postsecondary institutions based in another state. SARA is overseen by a National Council and administered by four regional education compacts.

- To learn more about SARA, [click here](#).

## KANSAS LEGISLATION AND BOARD ACTION

**HB 2544** authorizes certain postsecondary educational institutions to enter into the State Authorization Reciprocity Agreement to provide distance education to out-of-state students. If a postsecondary institution is a private or out-of-state institution and does not have a physical presence in Kansas, its participation in the agreement will exempt the institution from the Kansas Private and Out-of-State Postsecondary Educational Act.

- To view the Board action to create the Kansas State Portal Agency, [click here](#) (page 23).

## APPROVED STATES AND INSTITUTIONS

A comprehensive listing of SARA approved states and institutions is [available online](#). Here is a list of approved SARA institutions in Kansas, including the dates they were approved:

- Bartle Community College (3/15)
- Beloit Community College (11/15)
- Central Christian College of Kansas (3/9/15)
- Cloud County Community College (4/14/15)
- Cowley Community College (1/16/15)
- Emporia State University (2/4/15)
- Flint Hills Technical College (4/16/15)
- Fort Hays State University (4/16/15)
- Grantham University (6/4/15)
- Hutchinson Community College (4/14/15)
- Independence Community College (5/21/15)
- Johnson County Community College (6/16/15)
- Kansas State University (2/4/15)
- Kansas Wesleyan University (3/9/15)
- Lamar University (4/16/15)
- Leeward Community College (3/11/15)
- Southwestern College (4/7/15)
- Sterling College (2/4/15)
- University of Kansas (1/16/15)
- University of Saint Mary (2/11/15)
- Wichita State University (1/14/15)

## BECOMING A SARA INSTITUTION

Any degree-granting institution based in the United States, holding proper authorization from Congress, a U.S. state or a federally recognized Indian tribe and holding accreditation from an accrediting association recognized by the U.S. Secretary of Education is eligible to apply to its home state to participate in SARA if that state is a SARA member.

- To learn more about the application process nationally, [click here](#).

Kansas applications are available by contacting Jennifer Armour: [jarmour@ksbor.org](mailto:jarmour@ksbor.org).

## STUDENT CONCERNS REGARDING KANSAS SARA INSTITUTIONS

Issues not resolved at the institutional level may be directed to the home state SARA portal agency of the institution against which the complaint has been logged. For institutions based in Kansas, the portal agency is the Kansas Board of Regents. Students with issues regarding approved Kansas institutions are to follow the [complaint procedure](#) as outlined.

Updates available at [kansasregents.org](http://kansasregents.org)

# **PART III: Cowley College: To SARA and Beyond**

**Stephani Johns-Hines**

**Paula Phelps**



## **Step 1: Select the right person to lead**

- **Be organized, timely and efficient.**
- **Keep a good paper/e-trail.**
- **Be well versed in the institution.**
- **Understand goal and purpose.**
- **Be self-motivated to complete the research.**
- **Understand and comply with each state's regulations and requirements AND follow-up reporting requirements.**

## **Step 2: Know student enrollment and faculty**

- **Clear understanding of students, degrees, practicums, faculty and state requirements in order to strategically initiate communication.**
- **This is an ongoing process.**



# Dear Colleague

**Cowley College is a community college and vocational/technical school. With more than 70 majors and degree possibilities, we prepare students to transfer to a four year program or to enter the workforce with the necessary skills, certification or degree. Begun in 1922, Cowley has steadily transformed into a cutting-edge institution, recognized across the nation for quality education and the success of its graduates.**

**Cowley College is committed to providing excellent educational opportunities for our students. We are also committed to abiding by the statutory requirements and rules of Alaska and the Alaska Commission of Postsecondary Education. Because state regulatory requirements for schools that offer distance education programs vary from state to state, we are asking for guidance on whether Cowley College needs to submit an application for authorization of our distance education programs in Alaska. We would appreciate a written response for our records and I am available to answer any questions you may have.**



# Agency Response

This is to acknowledge receipt of your inquiry relative to Alaska institutional authorization requirements. As an institution delivering online/distance education instruction, potentially to Alaska residents, you are seeking clarification to assure compliance with Alaska law.

Out-of-state institutions with no physical presence in Alaska as described below are required to apply for exemption from authorization to offer postsecondary instruction in Alaska. To do so, complete and submit the Application for Exemption from Authorization form which can be found at the following link:

<http://acpe.alaska.gov/Portals/0/OTHER/Forms/00ExemptApp.pdf>.

Please note that an institution exempt from the authorization requirements under 20 AAC 17.015 (a)(8) must include a conspicuous statement on the institution's marketing in the state, indicating that the program is exempt from authorization under AS 14.48 and this chapter because the program is online or distance delivered and does not have a physical presence in the state. Physical presence means the presence of a facility, equipment, faculty or staff within the state.

Finally it is an institution's responsibility to ensure it is fully aware of all applicable Alaska statutes and regulations and any associated compliance requirements relative to exemption from authorization.



### **Step 3: Develop relationships within own institution to educate and engage leaders and departments**

- **Authorization is not just about distance education.**
- **Educate leaders of institution.**
- **Must understand/appreciate the process of state authorization for institution**

### **Step 4: Establish order of states in which to apply**

- **Decide where to apply or not to apply.**
- **Automatic approval / exemption?**
- **Keep file of all exemptions, waivers, and approvals.**
- **If not applying in specific states, indicate clearly on your institution's website to stay in compliance with federal and state requirements.**



## Step 5: Research state agency regulations and develop relationships with regulators

- Review web sites, SHEEO, and consortium website for the regulations, requirements, and for the authorization requirements in each state.
- Authorization/exemption varies by state and by types of programs and degrees offered.

## Step 6: Be prepared to provide information specific to your institution

- The type of institution you represent
- Institutional information
- Website links: <http://www.cowley.edu/campus.html>
- Complete contact information
- Programs offered by your institution
- Any physical presence triggers
- Costs, number of credits, number of students, practicum requirements, etc.
- 





## **Step 7: APPLY!**

- **Start with SARA**
- **Renewals vary by state and can be updated often. Have renewal fees in budget.**
- **Remain in the loop for updates and changes of information.**
- **Document your actions.**
- **Each state expects you to already have received approval before serving the first student in their state (teach out).**



**As you move forward with your own state authorization journey keep in mind that staying organized, communicating, networking, and remaining positive throughout the process will help each step fall into place. You will have plenty of support from your state institutional contacts and others in the same position as you.**

**You are not alone.**

**We hope that we have given you an idea of where and how to begin.**

**Stephani and Paula**

**[johnshiness@cowley.edu](mailto:johnshiness@cowley.edu)**

**[phelpsp@cowley.edu](mailto:phelpsp@cowley.edu)**



# QUESTIONS?



**COWLEY**  
**COLLEGE**