

## **Q&A from the June 10, 2019 Webcast Notifications – Still Required!**

NC-SARA information, policies and required notifications about programs intended to meet educational requirements for obtaining professional licensure are contained in the SARA Manual, Version 19.2, Section 5.2, available at : [https://www.nc-sara.org/files/docs/NC-SARA\\_Manual19-2.pdf](https://www.nc-sara.org/files/docs/NC-SARA_Manual19-2.pdf)

Current U.S. Department of Education requirements are available at:  
<https://www.govinfo.gov/app/details/CFR-2011-title34-vol3/CFR-2011-title34-vol3-sec600-9>

NOTE: The current federal rules referenced above came into effect a few days following the June 10, 2019 webinar.

### **What liability does an institution open itself up to if it confirms its program meets the professional licensure for another state but the information has changed unbeknownst to the institution?**

Variable, depending on wide-ranging circumstances. Title IV participating institutions that provide no such information are in violation of federal rules, as well as SARA requirements. The institution needs to demonstrate the attempt to provide accurate information. An institution checking information each year would be following up on good intentions.

### **If we have a process setup that the information for licensure pertinent to the program indicated on the application for admission comes up and the applicant has to acknowledge receipt - does this meet the requirement for written notice?**

This would not meet the SARA requirement of providing written information to each student. It would provide the information to potential students.

### **Our institution is in Pennsylvania. For teacher training programs: our program's explicitly state that the programs are designed for certification by the Pennsylvania Department of Education only. Would further notification to our students be necessary for these programs?**

Students would need to be notified the program does not lead to certification in their state if they are not intending to teach in Pennsylvania.

### **Suppose an academic program is intended by the institution to lead only to non-licensed careers within a broad field. Within that broad field, however, there are some jobs that do require a professional license. Would SARA require such an academic program to make yes/no disclosures for each of these professional licenses in each state? One such example would be social worker, therapist, and counseling licenses, of which a variety may be found across the states.**

Students in each of these specific areas would need to be provided in writing with information on whether the program meets licensing requirements in the student's state.

### **The College of Medicine has their licensure rules within all of their written documents including their website. Because they are nationally accredited, is it still necessary to notify the students individually?**

The College of Medicine still has to abide by NC-SARA requirement to notify students in writing. Accreditation does not eliminate this SARA requirement, nor does it eliminate federal requirements.

### **For teacher licensure, are we advising them of how to obtain initial licensure? Could we not advise them of how to qualify for an out-of-state license after taking the licensing test for our state?**

For teacher licensure the institution would notify the student of initial licensure – this may include information on how to qualify for an out-of-state license after taking the test for the institution's home state. Providing information on how to obtain an out-of-state licensure through licensure reciprocity with

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another state does not eliminate the need to provide information on whether the program meets initial licensure in the student's state.

**Does accreditation with national bodies like NAEYC for ECE automatically confer authorization for other states?**

No.

**Most of our students don't know what state they will practice in when they are admitted, and then they may go to dozens of different states after graduation. What is our obligation to provide information about licensure requirements across the country?**

Institutions agree to provide the information to the state the student is located in unless the student notifies the institution they intend to practice in another state.

**Can you provide links to the CFR's just mentioned?**

<https://www.govinfo.gov/content/pkg/FR-2016-12-19/pdf/2016-29444.pdf#page=31>

**How do you recommend handling military students who say that they cannot disclose their actual location, only their APO?**

Ask the student where they intend to practice.

**I have shared this section with my institution, and they have interpreted it to mean that as long as this info is in writing, then the requirement is met-because the info on the website is in writing, they have concluded a one-on-one individualized notification is not necessary.**

Your institution is out of compliance with NC-SARA's requirements, as well as federal requirements of 34 CFR Section 600.9.

**Can you provide a template of the type of letter/notification that should be sent?**

No – because each institution is different and has their own way of doing things. However, you may call upon your peer institutions to share ideas and discuss how best to be in compliance.

**My institution is located in Georgia. For programs leading to licensure, (1) we clearly state in the program description in the academic catalog that the program meets requirements for state licensure in Georgia--without claiming that it meets requirements in other states. (2) We indicate that applicants from other states should check their state's requirements for licensure, and we provide links to websites that offer that information. (3) We go further by including an assignment in either the program orientation or initial course that requires students to research licensure requirements in their own state. Instructors offer assistance with this assignment as needed.**

Your institution would be out of compliance with NC-SARA and with requirements of federal 34 CFR Section 600.9.

**In reference to one of the questions above about providing information to students regarding their own state, you provided the response "If the student tells you they plan to practice in their home state you need to provide the home state information." Are there any plans from Department of Ed to assist with this?**

Not that we are aware of.

**Where are the exact disclosure requirements?**

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SARA Manual • Version 19.2 • June 1, 2019. Section 5.2  
SARA Application/Renewal. Question #10.

For federal requirements, see 34 CFR Section 600.9

**Our college is a religious ministerial school; every student receives a degree in biblical studies. Ministers can be credentialed/licensed via many different denominations, organizations, or churches. Would notifications have to be given to students regarding ministerial credentialing and licensure? Would that be considered “professional licensure”?**

If a state has a requirement the individual be licensed within the state, then the institution would need to provide the information required for the state professional licensure requirement.

**Can the written email notification be done through a CRM/mass email system as long as it's addressing the student by name?**

Yes, but the notification would have to address the particulars of each individual student's intended professional licensure, state of interest, etc. Each email would be individualized and not a generic email sent to all students in a program.

**Are there special licensing considerations for out-of-country (Canada...)?**

There could be. We would encourage institutions to check for out-of-country compliance requirements.

**If notification is in an enrollment agreement, do you need to notify a student after that? I'm confused as to why you need to send notification in writing annually or biannually in writing to the same student.**

Institutions need to be aware of any state changes and notify students of those changes. In addition, students sometimes move from state to state and/or change their mind about where they intend to practice. New federal proposed rules have specific requirements about when students are to be provided additional information.

**Is it sufficient to have on our website that OH has reciprocity with specific states in terms of a teaching license as long as the student has first applied for and received their Ohio teaching license (which we ask our students to do because licensure requirements change)?**

No. You need to notify each student in writing. See 34 CFR Section 600.9

**Do you have to disclose if the program meets licensure requirements if the licensure is not required to be employed, but is encouraged by the industry?**

If the student's state requires a license, then SARA policies and, for Title IV institutions, federal rules need to be followed.

**So, NC-SARA requirements are only related to any program that leads to professional licensure? Is that correct?**

No, SARA policies affect programs that don't lead to licensure as well those that do. In addition, 34 CFR Section 600.9 has its own requirements, which address both situations. Certain information must be provided to virtually all distance education students. Students in programs intended to satisfy the educational requirements of state professional licensing bodies are to receive additional notifications, under both SARA and federal provisions.

**I'm confused about notification to secretary of states**

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This webcast was about notification to students, which is quite complex. Some states require all out-of-state businesses (including higher ed institutions) that “do business” in the state to register with the state’s Secretary of State. SARA does not remove those obligations.

**Can we add the language that is listed on the professional licensure website that "the rules and regulations that apply for licensure" are those that are in place at the time the student submits their licensure application?**

You’re right that the state rules affecting professional licensure are the ones the student must meet when they apply to obtain that licensure, but institutions must do much more than that to provide acceptable notifications, both under SARA provisions and federal rules. If students notify the institution of a change in location or if they have decided to seek licensure to practice in a different state, the institution needs to provide updated information. In addition, an institution is responsible for notification of any changes to a state’s requirements if those changes impact the status of the program meeting the requirements.

**Basically, do we need to ID all programs that lead to licensure then reach out to all states where a student might take these courses? and then confirm that each state will accept our course work?**

Yes – the answer you feared. Remember, institutions aren’t required to allow students from all states to enroll in the programs they offer. But if they do, they have both SARA and federal obligations to meet regarding professional licensure notifications. An institution could, of course, decide that the licensure requirements of state X in professional discipline Z are so onerous that the institution decides it won’t enroll students seeking practice in that state. Unfortunate, perhaps, but likely a necessary decision in some circumstances.

**For medical degrees, professional licensure varies by state. Students have to pass board exams, complete residencies, etc. How do we go about disclosing this?**

That’s actually true of many, many professional disciplines. Disclose that just as you would for any other professional licensure (nursing or teaching, for example). Our experience is that medical schools in the U.S. are well aware of their obligations in this regard.

**Is there a plan for how often the NC-SARA Manual will be updated? I just learned about the latest version from this webinar. It would be helpful to know how often to look at the NC-SARA website for updates.**

The *SARA Manual* is usually updated twice per year, closely following NC-SARA Board Meetings. Occasionally, additional updates are done. If you would like to be included on the NC-SARA email list, please send a note to Nick at [nortiz@nc-sara.org](mailto:nortiz@nc-sara.org) and we’ll notify you of updates and changes.

**SARA deals with state licensure/certification. The federal regs seem to address ANY professional licensure/certification. Is this an accurate interpretation?**

Both deal with state professional licensure/certification. In the U.S., while many professional fields have adopted national standards, licenses to *practice* a particular profession usually are granted by the states, through entities they establish for that purpose.

**If a program leads to a licensure of a federally regulated licensing board that is good in all states, do we still need to notify students.**

Yes; see above. Some states have additional requirements for licensure.

**Do these disclosures apply to all licensure including advanced licensure such as for Nurse Practitioners, etc.?**

Yes, both SARA and federal notifications are required for advanced practice licensure.

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**Can you clarify ‘programs that potentially lead to licensure’? There are so many different types of licenses available and each state has its own list that may be different from other states. How far do we need to go in rooting out potential licenses by state?**

You’re right that it’s confusing. There is no “national list” of occupations that require professional licensure. (The Council of State Governments has identified more than 1,000 occupations for which one or more states requires licensure/registration/approval.) Each state makes its decisions (influenced by numerous factors), and each institution is responsible for knowing which of its programs are in fields that may require licensure in a particular state. Many states have a list of occupations requiring state licensure on their website; start there.

**Since CA is not a member of NC-SARA, how should we handle students who want to participate in experiential learning activities in CA?**

You should follow the rules and regulations of both California and the federal government.

**After a college informs the student that the program will not lead to licensure in their state and the student elects to take the program, what documentation needs to be maintained for proof and protection after the fact.**

NC-SARA does not require further documentation, but federal rules do. See the last paragraphs of 34 CFR Section 600.9. Institutions that participate in federal Title IV student assistance programs are required to comply with those rules. To lessen legal risks, non-Title IV institutions should probably do similar things.

**How can we measure student intent when there is an out-of-state learning placement in a program that leads to a licensed profession? One way my institution can easily monitor and notify would be to use the state of the out-of-state placement and notify the student based upon that state's regs. But a student doing an out-of-state placement does not necessarily indicate that the student will be living and working in that state.**

You’re right, and what you suggest seems a reasonable step to us. You’re right that doing an out-of-state placement in a state doesn’t automatically mean a student intends to practice there. Institutions need to ask the students where they intend to practice and the provide the necessary notifications.

**What about certificates offered through Continuing Education (non-credit)?**

If the certificate leads to professional licensure/certification the notification requirements would be followed.

**Can you confirm the absolute deadline to ensure compliance, ensuring individual notices are sent to students in writing (email, etc.) - was there mention at start of this webinar information will come out this October - to be effective next July 1? (not this June/July)?**

As soon as you became a member of SARA – the requirement of the institution to notify students is one that the institution agrees to in the application for participation in SARA. SARA’s requirements are in effect now. In addition, federal rules (34 CFR Section 600.9) are also in effect now. We referred to new, proposed rules that are now out for public comment. Those rules (as proposed or as modified) are likely to go into effect July 1, 2020.

**For online students, may we rely upon their location, or will NC-SARA require that we ask those students where they intend to practice? For face to face students who are located in the home state of the campus, is it a requirement to ask where they intend to practice or would we only be required to further disclose if the student volunteered where they intend to practice?**

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All students should be asked where they intend to practice to provide the most accurate information. A distance education student's location may be where they intend to practice, but it may not. New, proposed rules make such notifications necessary for on-campus students, as well as distance ed students. SARA has always required notifications for both.

**Could an institution provide an individual notification to students/applicants/etc. with information about whether the program meets requirements for all states (rather than one/two/etc. specific states)? Would this fulfill SARA requirements?"**

Theoretically, but see 34 CFR Section 600.9. If the institution can't determine if the program meets requirements in the student's state (after concerted efforts), under SARA provisions the institution will need to notify the student how to find out. New, proposed rules lay out a different scheme to follow in such circumstances.

**Item 10 on the application says an "e-mail directed" to student meets the requirement of notification in writing, but it does not say this is the only form of written notification or that an e-mail is mandatory.**

That is correct. You may email or send a letter. The main points (for SARA and federal rules) are that the notification be sent to the individual student in writing.

**Is this only required for programs that lead to licensure or all online programs.**

The NC-SARA notification requirement (and our topic for this webinar) is for professional licensure courses or programs. Federal 34 CFR Section 600.9 has notification requirements that apply to non-licensure programs, as well.

**If a given program does not have any type of licensure built in other than the completion of a degree, what is the notification responsibility of the institution?**

The NC-SARA notification requirement is for professional licensure courses or programs. Federal 34 CFR Section 600.9 has notification requirements that apply to non-licensure programs, as well.

**Please expand upon defining student location for on-campus programs. That is, is licensure notice required for the on-campus state or their state they typically reside or both?**

All students should be asked where they intend to practice in order to provide them the most accurate information. A distance education student's location may well be where they intend to practice, but it may not be. New, proposed rules (mentioned above) have specific requirements for these circumstances.