State Authorization Meeting
Wednesday, November 20, 2013
10:00 AM TO 2:00 PM
Vanderbilt University
Sarratt Student Center, Rooms 216/220
Overview of State Authorization

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TICUA State Authorization Meeting
November 20, 2013
What is State Authorization?

- Each individual state has its own set of standards and guidelines with respect to educational and other activities within its state by out-of-state institutions.

- States expect that your institution obtain the necessary approvals (if any) before advertising/marketing or serving students.
Legal Landscape at the Federal & State Levels

Federal
- 2010 Program Integrity rules.
  - Association of Private Sector Colleges and Universities ("APSCU") v. Duncan: Set aside distance education state authorization rule on purely procedural grounds.
- Department of Education’s negotiated rulemaking – The earliest a new Distance Education Rule is likely to be in effect is July 2015.

States
- Rules predate the federal rule and still remain in effect.
- Possible repercussions for operating without authorization: Cease-and-desist orders, fines, & reputation issues.
State Authorization Triggers

Two types of triggers?
- Purely online
- Physical presence
  - Brick & mortar
  - Experiential
  - Employees/proctors
  - Advertising/marketing
  - Recruiting
  - Servers
State Authorization Considerations

- How to apply and keep the authorizations current?
- How much does it cost? Per state: $0 - $10,000+
- How do we track our students and what do we need to report to state regulators?
- How do we track new online and distance programs?
- Who will apply for the authorizations and renewals?
March 2013 – State Authorization Reciprocity Survey (UPCEA, WCET, & Sloan-C)

- 2/3 of respondents had applied to at least one state.
- 27% plan to seek authorization in every state.
- States where respondents are not enrolling students: Minnesota, Massachusetts, Arkansas, Maryland, Alabama.