National Council for State Authorization Reciprocity Agreements
NC-SARA Board Meeting
Denver Airport Marriott, Denver, Colorado
December 1, 2015
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National Council for State Authorization Reciprocity Agreements (NC-SARA)
Board Meeting • December 1, 2015 • 9 a.m-1:30 p.m. (MDT)
Denver, Colorado • Denver Airport Marriot at Gateway Park

AGENDA

Welcome and introductions – M. Peter McPherson, Vice Chair

Action Item I: Approval of minutes of the May 7, 2015 meeting

Action Item II: Update on the progress of the SARA initiative
   a) Marshall A. Hill, NC-SARA
   b) Larry Isaak, Midwestern Higher Education Compact
   c) Michael Thomas, New England Board of Higher Education
   d) David Spence, Southern Regional Education Board
   e) David Longanecker, Western Interstate Commission for Higher Education

Action Item III: Finance report – Larry Isaak, Treasurer

Action Item IV: SARA Fall Report – Marshall A. Hill

Action Item V: Set SARA fees for institutions for FY 2017- FY 2019

Action Item VI: Endorsement of Unified State Authorization Reciprocity Agreement

Action Item VII: New initiatives
   a) Student-searchable database of programs offered online by SARA institutions

Action Item VIII: Additions and modifications to NC-SARA Policies and Standards
   a) Modifications to physical presence provisions
   b) Provisional renewal for institutions

Action Item IX: Additions and modifications to NC-SARA Bylaws

Action Item X: Election of council members and officers

Information Items:
   a) 501(c) (3) status for NC-SARA
   b) Quarterly reporting of appealed complaints
   c) Status of current year work

Executive session

Questions, comments, reflections from council members

Adjourn
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NC-SARA AGENDA ITEM

Action Item I: Approval of minutes of the May 7, 2015 meeting

Action Item: ☑ Yes ☐ No

Staff Recommendation: Approve the minutes.
MINUTES — NC-SARA Board Meeting
May 7, 2015
Revere Hotel • 200 Stuart Street • Boston, Massachusetts 02116

NOTICE OF MEETING
Notice of the time and place of the NC-SARA board meeting was given to board members, regional directors, Lumina Foundation, the Bill & Melinda Gates Foundation, and other interested parties.

An agenda is maintained in the NC-SARA offices at 3005 Center Green Drive, Suite 130, Boulder, CO 80301 and online at www.nc-sara.org

CALL TO ORDER AND INTRODUCTIONS
Chair Paul Lingenfelter called the meeting to order at 8:54 a.m. (EST)

Board Members present:
Kathryn Dodge
Larry Isaak
Paul Lingenfelter
David Longanecker
Teresa Lubbers
M. Peter McPherson
Patricia O’Brien
Pamela Quinn
Paul Shiffman
David Spence
Helena Stangle
Michael Thomas
Terry Hartle

Council staff present:
Lisa Greco
Marshall Hill
Michelle Perez-Robles
Jennifer Shanika
Alan Contreras

Regional Compact SARA Directors and staff present:
Sandra Doran, NEBHE-SARA
Mary Larson, SREB-SARA
John Lopez, W-SARA
Jennifer Parks, MHEC-SARA
Kris Biesinger, SREB-SARA
Kiley Danchise-Curtis, NEBHE-SARA

Bill and Melinda Gates Foundation staff present:
Travis Reindl

Lumina Foundation Staff present:
Christine Marson

Guest attendee:
Steven Clark - State Approvals Coordinator

Welcome and Introductions
Paul Lingenfelter welcomed the Council members and others all present. Patricia O’Brien and Michael Thomas moved that the minutes reflect the Council’s appreciation for the valuable contributions of Michelle Perez-Robles and Lisa Greco as they leave SARA. All board members agreed by acclamation.

I. Action Item: Approval of minutes
The minutes of the December 2, 2014 NC-SARA board meeting were reviewed by the Council. M. Peter McPherson moved to approve the minutes; Pam Quinn seconded the motion. The motion passed with all members present voting “yes”.
II. Action Item: Technical Changes to NC-SARA Bylaws to facilitate the application for status as a 501 (c) (3) non-profit organization. (Item IV in published agenda)

Paul Lingenfelter called the attention of the Council to a series of technical amendments to the bylaws of NC-SARA prepared by legal counsel to facilitate the preparation of an application for NC-SARA to be approved as a 501 (c) (3) non-profit corporation. A copy of these actions is appended to these minutes. Peter McPherson suggested that the Council consider approving the presented series of actions in a single vote, to be taken at the conclusion of discussion. All members present agreed to this procedure, and Legal Council, Gary Capps of Nelson Mullins Riley & Scarborough LLP, said that approval would meet all legal requirements. In addition to the modifications to the bylaws, the proposed actions included the election of Marshall Hill to serve as Secretary as well as Executive Director.

Terry Hartle moved to approve; Michael Thomas seconded. This item was passed with unanimous approval.

Gary Capps mentioned that he expects the documents to be filed by the end of May, with three to four months expected for official recognition as a 501(c) (3) organization.

During discussion regarding the Conflict of Interest forms, M. Peter McPherson inquired about the wording not being clear regarding a board member also being affiliated with an institution. Marshall Hill clarified that there is possibility of recusal, and the likelihood of an issue with an institution reaching the board is extremely remote. If a scenario comes up where there would be a potential conflict, a disclosure is required to be made to the board and legal counsel will be sought if necessary.

III. Action Item: Update of Progress of the SARA Initiative

Marshall Hill reported that there has been great progress and activity in all states and believes that all states will eventually become SARA states. The New York Board of Regents is empowered to enter into an interstate reciprocity agreement and in late February unanimously directed their staff to do what is necessary to make New York a SARA state. The District of Columbia has reached an agreement with SREB to affiliate with them in order to participate in SARA. Currently there are twenty-one SARA states and several additional states with membership pending. Around 250 institutions have signed on thus far, with 58% of those being public, 33% private/non-profit, and 8% being for-profit institutions.

Hill also reported that some individuals and organizations not supportive of SARA have used Corinthian College’s recent failure as a warning of the possible weakness of SARA in allowing for-profit institutions to participate. He observed that:
1) Corinthian would not qualify for SARA membership, as its financial responsibility index scores are too low; 2) Any for-profit institutions admitted to SARA, whether or not they are regionally accredited, must accept and comply with C-RAC guidelines for offering distance education, thereby elevating expectations.

Hill indicated that state SARA portal agencies are required to report to NC-SARA on a quarterly basis how many complaints against SARA institutions have been appealed.
to them and how those complaints have been resolved. Those reports are now on the NC-SARA website. Because is the first time any such reporting has been done, there have been few or no complaints. The staff is starting work on the next phase of data collection: enrollment reporting by institutions. They have a consultant to develop a data sharing agreement and a data reporting manual. In early fall they will also be hiring a consultant to do a cost study.

Larry Isaak, MHEC President, updated the Council on the progress of SARA in the Midwest. He noted that Iowa is close to joining SARA and the Michigan Senate is considering SARA legislation. He hopes to have Michigan’s application submitted in July. There is progress in Wisconsin and every Indiana public institution has now joined SARA.

Michael Thomas, NEBHE president and CEO, informed the Council that New Hampshire and Vermont are now SARA states and New Hampshire is starting to accept applications from its institutions. Vermont is expected to follow shortly. Progress has been made in Maine, Rhode Island, Connecticut, and Massachusetts.

David Spence, SREB President, informed the Council he expects to have half of the 16 SREB states on board by early 2016. Mary Larson stated they are predicting eight SARA states by the end of 2015. Louisiana, Virginia, and West Virginia are now SARA states and Arkansas’ application is currently under review. Oklahoma is expected to submit its application in June. Maryland is expected later this fall and Tennessee legislation is proceeding. Texas legislation is in process and Georgia, which does not need legislation, will apply later this year. North Carolina is expected to present SARA membership to the NC Board of Governors in May or June. SREB’s plan is to announce a dissolve date for their current electronic campus regional reciprocity agreement the first part of 2016, therefore giving the remaining states eighteen months to two years to continue use of the SREB reciprocity agreement while they consider joining SARA.

David Longanecker, WICHE President, said that both Utah and Hawaii have passed SARA legislation, but a great deal of work remains in those states. California’s legislation has been tabled for the time being. He expects CA legislation to pass in 2016. The Commonwealth of the Northern Mariana Islands is looking into legislation. The number of SARA states in the region is expected to be twelve by end of May.

Longanecker informed the Council of a situation regarding a Colorado institution with questionable online activities and the response by the Colorado Department of Higher Education (the state’s SARA portal agency) to examine and address the situation. He stated that this case demonstrates that SARA states are serious about upholding good practice.

Pamela Quinn asked about state SARA agencies charging fees for institutional participation in SARA. Marshall Hill responded that SARA has no restrictions on what states may charge for SARA participation, so long as they have a reasonable rationale for their pricing structure. At this point, 12 of the 20 SARA states are charging fees.

Patricia O’Brien moved to accept the progress reports. Terry Hartle seconded. Motion unanimously approved.
IV. Action Item: Finance Report
Larry Isaak reported that by July 1, 2015 SARA will mostly be relying on institutional fees. There will still be some compacts utilizing grant revenue. A basic financial report including tables was provided with the agenda materials and is on file at the NC-SARA office. Marshall Hill informed the Council that there will be a cost study conducted this fall by an external consultant. Institutional fee rates will be reevaluated at the end of 2015.

The Council discussed the advisability of establishing financial reserves for the SARA partners. Marshall Hill reminded them that previously approved policy states that when we reach our target revenue, we will start accumulating reserves. Reserves are currently set at 50% of annual revenues. Teresa Lubbers suggested that this policy be articulated to the states, along with the expectation that it is projected to occur in less than five years.

The finance report, sent to members prior to the meeting, is provided as an exhibit to these minutes; a copy is on file at the NC-SARA office.

Motion to approve Action Item IV by Larry Isaac. Paul Shiffman seconded. Motion passed with all present voting “yes.”

V. Action Item: Approval of Budget
After commenting that future budgets should contain greater detail, Terry Hartle agreed to approve the budget. Marshall Hill agreed with Mr. Hartle’s comment and provided information regarding the development of new budget projections. The budget, sent to members prior to the meeting, is provided as an exhibit to these minutes; a copy is on file at the NC-SARA office.

Motion to approve Action Item V by Larry Isaac. Paul Shiffman seconded. Motion passed with all present voting “yes.”

VI. Action Item: Additions and Modifications
Marshall Hill suggested that the Council consider voting on all sub-items at once. Members unanimously agreed.

A. Proposed Policy Regarding Native American Tribal Colleges
Alan Contreras led a discussion on how Native American Tribal colleges relate legally to the state. Legal counsel Rick Masters, engaged by NC-SARA staff, has advised that, in his opinion, there is no reason why tribal colleges can’t participate in SARA like other non-public institutions, as the institution, rather than the tribal government, signs the agreement with the state SARA portal agency, not the tribal government. One potential issue in treating tribal colleges like a private entity rather than public (as they are federally) would be the need for the state to determine a financial score, which currently isn’t required by the federal government. There may be the need for minor adjustments to the application language, but NC-SARA staff believes that there are no significant issues that would prohibit tribal college participation in SARA.
B. **Modifications to Policies and Standards**
The Council discussed processes for consideration of changes to SARA. As of now, Marshall Hill responds to questions regarding clarification of terms. If there appears to be a need to significantly modify policy or make changes to the fundamental principles after consultation with regional SARA directors, he recommends their consideration by the Council. Responses to questions and recommendations for council-level change are developed through a consensus-based approach. He advocated the continuation of that policy, but recommended that it be made more transparent by its inclusion in the Policies and Standards document. He suggested that the Council confirm that he has the delegated authority to continue to address interpretative issues, consistent with the policies that have been set. Larry Isaak stated that he is in support of this policy because it establishes that any significant change would undergo a thorough and comprehensive review process at the appropriate levels.

Adjustment: Change in language in Item V (B) that specifically states that certain matters will be brought to the Council and change “NC-SARA” to “NC-SARA Board” and replace “substantive” with “significant”.

C. **SARA Denial of an Institution’s Continued Participation in SARA**
Alan Contreras explained to the Council the policy language describing how a SARA institution may be denied further participation. The action proposed clarifies that institutions may be denied further participation by their state, not by the regional compacts.

D. **Notification of Appealed Complaints**
Marshall Hill explained that this item simply would require that a SARA state portal agency that receives an appealed complaint must notify the state in which the student is located of receipt of that complaint. David Longanecker remarked that he believed that statement regarding the two-year deadline and the possibility that an institution could manipulate the process by delaying the complaint resolution timeline, had previously been addressed and the language altered. Alan Contreras replied that he would review that prior discussion, and, if change appeared warranted, would bring a recommendation to the Council for its consideration.

**Action Item:**
Paul Lingenfelter moved to approve items V, a-d. Terry Hartle seconded. Motion passed unanimously.

**VII. Information Items**

B. **Liability Insurance for Members of SARA**
Marshall Hill stated that he has identified a likely agency to provide limited liability coverage. He will keep the Council informed as to progress.
C. **Renewal Form for SARA Institutions**
The first SARA institutions are coming up for renewals shortly, Marshall Hill stated. This will be done online, with a 90-day renewal notice. The process uses a simplified version of the institution’s original application forms, while requiring a new affirmation by the president or provost of the institution that SARA requirements are met by the institution. Institutions that do not pay their membership fees on time, following a 30-day grace period, will incur a 25% surcharge. If they do not pay within that time, they will no longer be SARA institutions. Should they wish to rejoin, they would have to start the application process from the beginning.

D. **First Reporting of Appealed Complaints by SARA Portal Agencies**
Marshall Hill reported that the first round of appealed complaint reporting has been completed. The results are on the NC-SARA.org website.

E. **Coming FAQ’s**
Marshall Hill said that he was bringing these two questions to the Council to allow them to express any concerns prior to his providing answers to them on the NC-SARA web site.

Two questions continue to arise: 1) Can an institution that does not offer distance education join SARA to take advantage of its other benefits? SARA staff believes that the answer should be “yes.” First, they believe a very small number of institutions would want to take this approach, and if they needed to, they could quickly add an online course or two to be viewed as a “distance education offering institution.” 2) Dual Credit. Alan Contreras spoke of how SARA works with dual credit situations. "Dual credit" is defined as a situation where high school student earn both high school and collegiate credit at the same time. SARA deals with the offering of collegiate credit; it has no involvement with high school credit, the awarding of which is at the discretion of high schools and state education agencies.

**Proposed FAQ Language:**
Can an institution that does not offer distance education (online courses, interactive video, etc.) participate in SARA in order to obtain the benefits of SARA for purposes of placing students in supervised field experiences?
Response: Yes. Supervised field experiences are considered distance education for purposes of SARA.

Are dual-credit courses offered in high schools by SARA participant institutions covered by SARA? Response: Yes, if they carry college credit or some other kind of postsecondary award or certificate. They are not covered if they are alternative high school completion courses that don’t carry a postsecondary award.

F. **U.S. Department of Education Actions Affecting State Authorization**
Marshall Hill reported that no actions have been taken by the Department and, no rules have been proposed.
G: FAQ’s Added since Last NC-SARA Board Meeting

Marshall Hill pointed out posted answers to new FAQs:

**Hybrid Programs:** Does SARA encompass hybrid programs in which some courses within a program are online while other components are residential at the host campus? Response: SARA covers those portions of such a program that take place via distance education across state lines among SARA member states. SARA covers single courses as well as programs. That includes courses that may not be credit-bearing, as long as they are offered by an accredited degree-granting institution. Whether the student is degree-seeking is irrelevant.

**State Authority to Bill for Costs of Investigating Institutions:** Can a state bill a SARA participant school in order to recover the actual costs of investigating a complaint? Yes, as long as there is an existing policy to do so.

H. NC-SARA Staff Work Plan for FY 2016

*Marshall Hill briefly discussed the staff’s work plan for FY 2016.*

**ITEM (H): NC-SARA STAFF WORK PLAN FOR FY 2016**

**GOALS**

Goal 1: Continue promoting state membership and institutional participation
Goal 2: Ensure financial self-sufficiency of SARA
Goal 3: Address operational maturation of the organization

**Activities**

1. Identify strategies to increase state membership and institutional participation
2. Refine the process for substantive change to NC-SARA Policies and Standards
3. Ensure operational efficiency for membership of 35-40 states and 1,000+ institutions to include:
   a. One SARA agreement, rather than four
   b. Listserv for portal agency leaders
   c. SARA cost study
   d. SARA state portal agency annual meeting
   e. SARA operations or policy manual
   f. Facilitate document-sharing among senior SARA staff (i.e., Sharepoint)
   g. SARA effectiveness and efficiency metrics
   h. Regular SARA webinars hosted by different regional compacts
   i. Evaluate need for promising (rather than best) practices document
   j. NC-SARA Annual Report (2016)
4. Position NC-SARA as a 501(c)(3) entity
5. Publish initial data collection, reporting and analysis re:
   a. Complaint system
   b. Distance education enrollment
6. Review existing policies and standards with regard to:
   a. Tuition refunds
b. Clinical placements/supervised field experiences

c. Biannual rather than quarterly reporting of complaint data

d. Links to institutional distance education pages or Classification of Instructional Program (CIP) codes

7. Collaborate on potential solutions to other higher education policy topics
   a. Coordinate updates to SHEEO complaint process site
   b. Professional licensure

8. Manage solicitation of new board members

Audit of States: Larry Isaak suggested that he would like to start a discussion on looking at having the compacts do an audit of each state to ensure that the state is living up to their obligations. He would like to get a formalized, standardized procedure in place for that.

An audit of SARA states for that purpose was added to the work plan.

All information items were discussed.

Motion to adjourn called by Paul Lingenfelter. Paul Shiffman so moved and Terry Hartle seconded. Motion approved with all present voting “yes.”

Adjourn.
NC-SARA AGENDA ITEM

Action Item II: Update on progress of the SARA initiative

Action Item: ☑ Yes   ☐ No

Background: The SARA initiative has made a great deal of progress since the NC-SARA meeting on May 7, 2015. Marshall Hill will provide an overall assessment. Representatives of the regional compacts will focus more closely on developments within their regions.

a) Marshall Hill, National Council for State Authorization Reciprocity Agreements (NC-SARA)
b) Larry Isaak, Midwestern Higher Education Compact (MHEC)
c) Michael Thomas, New England Board of Higher Education (NEBHE)
d) David Spence, Southern Regional Education Board (SREB)
e) David Longanecker, Western Interstate Commission for Higher Education (WICHE)

Staff Recommendation: Accept and approve reports on progress of the SARA initiative.
### STATE ACTIONS REGARDING SARA

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**n/a**: State has determined new legislation is not needed to enable participation in SARA.

North Dakota & South Dakota are members of both MHEC & WICHE; chart indicates SARA affiliation.
Illinois  » Member
Illinois became a member state on August 1, 2015, and the portal agency is the Illinois Board of Higher Education (IBHE) with the Illinois Community College Board playing a significant role in the institutional approval process as well. There will be no state fee for the community colleges. The fee for other state institutions will be $1750.00/year.

Indiana » Member
Approved as first SARA state in February 2014. The Indiana Commission for Higher Education (ICHE) is the SARA portal agency. No state fees.

Iowa » Member
Iowa became a member state June 1, 2015. The portal agency is the Iowa College Student Aid Commission (ICSAC) and is expected to open January 1, 2016. Iowa has a unique and innovative student refund mechanism among all SARA states.

Kansas » Member
Kansas was approved November 16, 2014. Kansas has the first on-line, interactive institutional application process in the nation. The Kansas Board of Regents is the designated SARA portal agency. No state fees.

Michigan » Member
Michigan joined SARA September 1, 2015. The Office of Licensing and Regulatory Affairs (LARA) is the SARA portal agency. The Michigan application is fully on-line. There is a $2000 initial fee for an institution to apply to participate in SARA. After that, the annual fee for institutions is $2000.00.

Minnesota » Member
Minnesota was approved January 26, 2015. MN is the first “highly regulated” state to join SARA. The Minnesota Office of Higher Education (MOHE) is the SARA portal agency.
Missouri » Member
Missouri was approved November 16, 2014. The Missouri Department of Higher Education (MDHE) is the SARA portal agency, and it started taking institutional applications in December 2014. State institutional participation fee is $500/annually.

Nebraska » Member
Nebraska was approved in August 2014. The Nebraska Coordinating Commission for Postsecondary Education (NCCPE) is the SARA portal agency. The state fee for institutions to participate is $300/year.

North Dakota » Member
Approved as the second SARA state in April 2014, all eligible institutions in North Dakota have joined. The North Dakota University System (NDUS) is the SARA portal agency. No state fees.

Ohio » Member
The Ohio state application was approved by the M-SARA regional steering committee on February 20, 2015. The Ohio Department of Higher Education (ODHE) is the SARA portal agency.

South Dakota » Member
Approved by WICHE November 11, 2014.

Wisconsin
M-SARA staff continues to support and provide information to WI educational sector leadership.
SARA STATUS FOR NEBHE STATES

New England Board of Higher Education
NEBHE State Authorization Reciprocity Agreement (N-SARA)

Connecticut
House Bill 6715 had support from institutions of all sectors but did not pass in the 2015 legislative session. N-SARA is working with interested parties to disseminate information in order to provide the CT legislature with data that supports future SARA implementation.

Maine » Member

Massachusetts
Massachusetts’ higher education sectors have expressed great interest in joining SARA. There are ongoing discussions with the Department of Education and with all stakeholders across the state, culminating with the SARA legislative briefing at the State House sponsored by CSG, Presidents’ Forum, NC-SARA and N-SARA. All interested stakeholders are working together and within their respective networks to move SARA forward.

New Hampshire » Member
New Hampshire became the first NEBHE SARA state in December 2014. NH is currently accepting institutional applications.
SARA STATUS FOR NEBHE STATES

New England Board of Higher Education
NEBHE State Authorization Reciprocity Agreement (N-SARA)

Rhode Island » Member
SARA legislation was passed in July 2015. Approved November 9, 2015.

Vermont » Member
Vermont became the second NEBHE SARA state in April 2015. The Vermont Agency of Education began accepting institutional applications in July.

NOT AFFILIATED WITH REGIONAL COMPACT

New York
After the Board of Regents voted to move forward with this initiative, legislation passed in July of 2015. The state department of education is engaging in a planning and budgeting process which they hope to complete in the coming months.

New Jersey
New Jersey is reviewing their regulatory framework in anticipation of submitting a SARA application.
Notes

Alabama >> Member
Alabama was approved as a SARA state November 2, 2015. Effective date is January 1, 2016. Legal Authority: Legislation has passed. Alabama Commission on Higher Education will be the SARA portal agency.

Arkansas >> Member
Arkansas was approved as a SARA state June 30, 2015. Institution applications accepted: July 1, 2015. Legal Authority: Regulatory. The Arkansas Department of Higher Education is the SARA portal agency.

Delaware
SARA participation discussions are ongoing with stakeholders. Legal Authority: Legislative action required prior to participation. The Delaware Department of Education is expected to be the SARA portal agency.

Florida
SARA participation discussions are ongoing with stakeholders. Legal Authority: Legislative action required prior to participation. The SARA portal agency has not been determined.

Georgia >> Member
Georgia approved as a SARA state November 2, 2015. Effective date is December 1, 2015. Legal Authority: Regulatory. Additional MOUs between agencies. The Georgia Nonpublic Postsecondary Education Commission will be the SARA portal agency.

Kentucky
SARA participation discussions are ongoing with stakeholders. Legal Authority: Legislative action required prior to participation. A stakeholder meeting was held October 17, 2014. The Kentucky Council on Postsecondary Education is expected to be the SARA portal agency.

Louisiana » Member
Louisiana approved as SARA state October 17, 2014. Institution applications are being accepted. A statewide meeting was held December 3, 2014. The Louisiana Board of Regents is the SARA portal agency.

Maryland » Member
Maryland approved as a SARA state November 2, 2015. Effective date is January 1, 2016. Legal Authority: Legislation has passed. The Maryland Higher Education Commission is expected to be the SARA portal agency.

Mississippi » Member
Mississippi approved as a SARA state November 2, 2015. Effective date is January 1, 2016. Legal Authority: Legislation has passed. Mississippi Commission on College Accreditation will be the SARA portal agency.
North Carolina
SARA participation discussions are ongoing with stakeholders. Legal Authority: North Carolina Board of Governors. Additional MOUs between agencies. A statewide meeting was held March 31, 2015. The University of North Carolina, General Administration will be the SARA portal agency.

Oklahoma » Member
Oklahoma approved as a SARA state June 30, 2015. Institution applications accepted: July 1, 2015. Legal Authority: Oklahoma Statute Title 70 Chapter 50 Section 3206. The Oklahoma State Regents for Higher Education is the SARA portal agency.

South Carolina
SARA participation discussions are ongoing with stakeholders. Legal Authority: Legislative action required prior to participation. The South Carolina Commission on Higher Education is expected to be the SARA portal agency.

Tennessee » Member
Tennessee approved as a SARA state June 30, 2015. Institution applications accepted: July 1, 2015. A stakeholder meeting was held Oct. 7, 2014. The Tennessee Higher Education Commission is the SARA portal agency.

Texas » Member
Texas approved as a SARA state November 2, 2015. Legal Authority: Legislation has passed. The Texas Higher Education Coordinating Board is expected to be the SARA portal agency.

Virginia » Member
Virginia approved as SARA state October 17, 2014. Institution applications are being accepted. Legal Authority: Legislation has passed. The State Council of Higher Education for Virginia is the SARA portal agency.

West Virginia » Member
West Virginia approved as SARA state October 17, 2014. Institution applications are being accepted. Legal Authority: Statutory. Statewide meeting was May 22, 2014. The West Virginia Higher Education Policy Commission is the SARA Portal Agency.

NON-AFFILIATED DISTRICT
District of Columbia
SARA participation discussions are ongoing with stakeholders. The higher education sectors have met and will affiliate with SREB for participation in SARA. Discussions and documents in development. The Office of the State Superintendent of Education (OSSE) is expected to be the SARA portal agency.

Pennsylvania
SARA participation discussions are ongoing with stakeholders. Legal Authority: Legislation has been introduced. The higher education sectors have met and will affiliate with SREB for participation in SARA. Discussions and documents in development. The Pennsylvania Department of Education, Division of Higher and Career Education expected to be the SARA portal agency.

NON-AFFILIATED TERRITORY
Puerto Rico
SARA participation discussions are ongoing with stakeholders. Discussions and documents in development. The SARA portal agency has not been determined.
Notes

Alaska » Member
Approved by WICHE May 13, 2014.

Arizona » Member
Approved by WICHE November 11, 2014. Legal Authority: Arizona Revised Statutes 15-1747. (2014). An Interagency Governmental Agreement led to creation of the Arizona SARA Council which is the SARA portal agency.

California
Legislative bill SB 634 was scheduled for hearing April 2015 and efforts are underway to ensure the bill is heard early in the 2016 session. W-SARA staff anticipates bill passage and receiving the state’s application in 2016.

Colorado » Member

Hawai‘i
Legal Authority: Hawaii Rev Statutes 26-9, 446E-1.5 (2013). W-SARA staff anticipates receiving the state’s application in 2016. The Department of Commerce and Consumer Affairs is likely to be the portal agency.

Idaho » Member

Montana » Member

Nevada » Member
New Mexico » Member
Approved by WICHE May 12, 2015. Legal Authority: N.M.S.A. 1978 §§21-23B-1 to 21-23B-6 (2015 Supp.). The New Mexico Higher Education Department is the SARA portal agency.

North Dakota » Member

Oregon » Member
Approved by WICHE November 11, 2014. Legal Authority: OR Revised Statutes 351.735, 351.755, 351.758 and section 168a, chapter 768. (2014). The Oregon Higher Education Coordinating Commission is the SARA portal agency.

Pacific Territories
Expected application date: unknown.

South Dakota » Member
Approved by WICHE November 11, 2014. Legal Authority: Executive Order 2014-09 (Appendix I) and section 1, chapter 96 of the 2014 Session Laws, codified as SDCL §13-48-42. The South Dakota Board of Regents is the designated SARA portal agency.

Utah
Legal Authority: Utah Code 13-2-1 and other relevant statutes will be amended as necessary to reflect the Utah System of Higher Education will serve as the portal agency. W-SARA staff anticipates passage of the bill and receiving the state’s application in 2016.

Washington » Member

Wyoming » Member
NC-SARA AGENDA ITEM

Action Item III: Finance Report - Larry Isaak, Treasurer

Action Item: ☑ Yes ☐ No

The Finance Report is provided as a separate document.

Staff Recommendation: Accept the Report
NC-SARA AGENDA ITEM

Action Item IV: SARA Fall Report - Marshall A. Hill

Action Item: ☑ Yes  ☐ No

The Fall Report will be provided is provided as a separate document.

Staff Recommendation: Accept the report
Action Item V: Set SARA fees for institutions for FY 2017 - FY 2019

Action Item:  ✔ Yes  ❑ No

Background:
NC-SARA's fees for institutions to participate in SARA are currently as follows:

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

A majority of states also charge SARA participation fees; some are set in relation to NC-SARA fees.

The data committee assembled by NC-SARA in fall 2014 recommended that SARA collect enrollment data and base fees on 12-month unduplicated headcount, believing that metric to be a better measure of institutional activity, impact and size, especially in regard to distance education. The staff agrees with the committee, but recommends delaying that conversion until a later time.

Staff recommendation: Keep the current fee structure for FY 2017 and FY 2018. (Note: Since SARA's fiscal year is July 1 – June 30, if the staff recommendation is approved by the Council, SARA fees would remain the same until June 30, 2018.)
NC-SARA AGENDA ITEM
12/01/2015

Action Item VI: Endorsement of Unified State Authorization Reciprocity Agreement

Action Item: ☑ Yes □ No

The Unified State Authorization Reciprocity Agreement is provided as a separate document.

Background:
The Unified State Authorization Reciprocity Agreement replaces the four individual SARA documents created and adopted during 2013 by the country's four regional education compacts: the Midwestern Higher Education Compact (MHEC), the New England Board of Higher Education (NEBHE), the Southern Regional Education Board (SREB), and the Western Interstate Commission for Higher Education (WICHE). By December 1, 2015 it will have been considered for approval by each of the compacts.

In December, 2013, NC-SARA, at its first meeting, affirmed that the four individual documents were sufficiently consistent in all substantive matters to move forward with the implementation of SARA by the regional compacts. Despite that finding, having four regional documents occasionally proved confusing or problematic to readers not directly involved with the evolution of the SARA initiative.

This Unified State Authorization Reciprocity Agreement does several things. First, it should dispel any confusion or question arising from the existence of four separate documents. It stands as a testament to the ability of the four compacts, SARA member states, participating institutions and NC-SARA to work together in a remarkable and laudable spirit of trust to solve the thorny problem of appropriate and effective oversight of interstate distance education. As of this writing, 36 states and more than 500 institutions participate.

The Unified State Authorization Reciprocity Agreement breaks no new ground. It doesn’t change the relationships between the SARA partners. It does reconcile any remaining non-substantive differences between the four separate agreements. It also incorporates policy modifications made since 2013 by NC-SARA (with the concurrence of the regional compact presidents), modifications which gradually caused the existing four regional documents to be in relatively small ways out-of-date. The Unified Agreement is therefore now consistent with NC-SARA's Policies and Standards.

Process:

Alan Contreras, working for NC-SARA, has done the complex and sensitive work of reviewing the four regional documents and crafting their unified replacement. After review by the regional SARA directors, his first draft was circulated to the regional compact presidents and the chair of NC-SARA for their comments; each president was free to determine the extent of review within their compact. Marshall Hill and Alan worked through their comments and then generated a second draft, which was distributed to the same individuals.
Notable Points:

- We’ve selected the word "Unified", believing its active connotation reflects the “coming together” of the regional compacts and NC-SARA;
- We’ve been clearer about SARA involving interstate distance education;
- We’ve referred to SARA portal entities, rather than portal agencies;
- We’ve stated that NC-SARA works “in concert with” (rather than “in consultation with”) the regional compacts on various issues, such as determining what data to collect from institutions;
- We’ve added an appendix describing the evolution of SARA; and
- We’ve added an organizational diagram as an appendix.

Staff Recommendation: Endorse the *Unified State Authorization Reciprocity Agreement*. 
NC-SARA AGENDA ITEM

Action Item VII: Direct the Chair and Executive Director to pursue a new initiative

Action Item: ☑ Yes  ☐ No

Background:
Since 1998 students in the SREB region have had access to a searchable database of programs offered through distance education by participating institutions in the region. Staff proposes an expansion and re-branding of SREB's Electronic Campus database to create a student-searchable database of academic programs offered through distance education by SARA institutions. It would be an "NC-SARA project hosted by SREB." This initiative would allow SARA institutions throughout the country who choose to list their programs a similar opportunity to do so.

The Executive Director and Chair would execute an agreement with SREB. The Executive Director would seek grant funding for a two-year period.

A reasonable timeline for implementation would allow students in late fall 2016 to search for courses starting in early 2017.

Staff Recommendation: Approve the recommended initiative.
NC-SARA AGENDA ITEM 12/01/2015

**Action Item VIII:** Additions and modifications to NC-SARA Policies and Standards

**Action Item:** ☑ Yes □ No

The NC-SARA Policies and Standards is provided as a separate document.

**Background**

As SARA has grown, increasingly complex and challenging questions continue to arise about “down in the weeds” details of practice and how those details are handled under NC-SARA Policies and Standards. Some of those details would be resolved with the following recommended modifications.

a) **State membership renewal.** This proposed section establishes policies for state renewal. See Section 2.6

b) **Provisional renewal for institutions.** At its meeting in December, 2014, NC-SARA created the opportunity for states to offer institutions “provisional” participation in SARA under certain specified circumstances. This addition, requested by several states, would provide that same possibility, under the same limited circumstances, for institutions renewing their participation in SARA. See Section 3.2 (policy) and Section 3.4 (process).

c) **Modifications to physical presence standards.** Widely varying and continually changing institutional practice continues to require occasional modification of SARA physical presence standards. The proposed additions respond to questions or concerns received. They deal with field study, program delivery onto military facilities, individual study, and other physical presence clarifications. The recommended modifications are consistent with language included in the Unified Agreement.

**Staff Recommendation:** Approve the recommended additions and modifications to NC-SARA Policies and Standards.
NC-SARA AGENDA ITEM

12/01/2015

Action Item IX: Additions and modifications to NC-SARA Bylaws

Action Item:  ☑ Yes  ☐ No

The Executive Committee recommends the following changes to the NC-SARA Bylaws:
- Specify that no regional compact president can serve as Treasurer;
- Create a Finance Committee;
- Specify that the Executive Committee shall evaluate the performance of the Executive Director and, in consultation with the Finance Committee, recommend his/her compensation; and
- Make minor “clean up” changes.

Specific recommended changes:

Article II, Section 1. This is a "clean up" item. As a matter of practice we will always want to have an odd number of board members, but any time there is an unfilled vacancy, as occurred much of this year, we are out of compliance with policy. The change avoids that.

Article II, Section 1.a. The deletion in this section referred to the original action of the Board in determining our selection process. It is now obsolete. The addition reflects our current practice.

Article II, Section 1.d. This addition reflects the judgment of the Executive Committee that the Treasurer should not be a regional compact president.

Article II, Section 2.b. This amendment increases the number of Executive Committee members to eight, in order to add a new (non-compact President) Treasurer without reducing the terms of other members of the committee. It is the judgment of the Executive Committee that it is not essential to have an odd number of members; given the limited powers of the Executive Committee, if it is deadlocked on a matter, that question should go to the full board regardless.

This section also adds a clause indicating that being elected to office of NC-SARA supercedes any term limits on the Executive Committee. It seems quite likely that members of the Executive Committee will, after serving some time, be strong candidates for any open office.

Article II, Section 2.c. Specifies duties of the Executive Committee not included in its general charge in Section 2 a. This section essentially indicates that the Executive Committee serves as a nominating committee, evaluates the Executive Director, and, in consultation with the Finance Committee, recommends the compensation of the Executive Director to the full Board.

Article V, Section 3. This addition would establish a Finance Committee, specify its composition, duties, and other related matters

Staff Recommendation: Approval of the additions and modifications to NC-SARA Bylaws
National Council for State Authorization Reciprocity Agreements

BYLAWS
(Effective Date: May 14, 2014)

ARTICLE I
Name and Location, Description, Mission, and Purpose

Section 1: Name and Location
The name of the organization is the National Council for State Authorization Reciprocity Agreements (NC-SARA). Its principal place of business shall be in Boulder, Colorado.

Section 2: Description
The National Council for State Authorization Reciprocity Agreements is an independent and autonomous organization operating as a coordinating body for the voluntary State Authorization Reciprocity Agreements among regional higher education compacts and their member states, districts, and U.S. territories. Participating regional compacts include: the Midwestern Higher Education Compact (MHEC), the New England Board of Higher Education (NEBHE), the Southern Regional Education Board (SREB), and the Western Interstate Commission for Higher Education (WICHE). NC-SARA shall promote and certify the consistency of the four regional SARA agreements and provide a venue for discussing problems and mediating disputes that might threaten the continuation of the agreements.

NC-SARA shall be a nonprofit organization (i) established and operated in accordance with the provisions of 26 U.S.C. Section 501(c)(3) (the "Internal Revenue Code") and accompanying regulations; and (ii) incorporated and operated under the Colorado Revised Nonprofit Corporation Act, Title 7, Articles 121-137 of the Colorado Revised Statutes. Its period of duration shall be perpetual unless terminated in accordance with Article VIII (page 7).

Section 3: Mission
The National Council for State Authorization Reciprocity Agreements is committed to supporting the establishment of an effective and efficient state-level reciprocity process that will allow students across the country to enjoy increased access to higher education opportunities and will reflect the core aims of efficiently ensuring quality programs and consumer protection in a rapidly changing education landscape.

NC-SARA shall achieve its mission by:
 a. Promoting and advancing efforts to ensure inter-regional alignment on core elements and requirements of State Authorization Reciprocity Agreements (SARA), while also maintaining a limited role within the overall governance of SARA;
 b. Representing the full spectrum of stakeholders in the higher education community, including all institutional sectors (including, but not limited to, large- and small-scale distance education providers), regional and national accreditation agencies, and state officials including state regulators and state higher education executive officers.
c. Building public awareness of and support for SARA through regular communications to the field;
d. Serving as a forum for the higher education community at large to address concerns and questions as they arise.

Section 4: Purposes
The purposes for which NC-SARA is organized are exclusively charitable, scientific, literary, and educational within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986 (the "Code"), or the corresponding provision of any future United States Internal Revenue law. Notwithstanding any other provision of these bylaws, NC-SARA shall not carry on any activities not permitted to be carried on by an organization exempt from Federal income tax under Section 501(c)(3) of the Code or the corresponding provision of any future United States Internal Revenue law.

ARTICLE II
NC-SARA Membership and Executive Committee

Section 1: NC-SARA Membership
NC-SARA shall be made up of an odd number (between 17 and to 23) of individual National Council members. The duties and responsibilities of NC-SARA members are limited to those contained within these bylaws. Council members should come from the range of impacted groups to assure a wide range of support as the interstate reciprocity agreements are promoted and implemented, while also taking into consideration the need for those groups to have a permanent voice. Council members should be drawn from all institutional sectors (including large- and small-scale distance education providers), regional and national accreditation agencies, and state officials including state regulators and state higher education executive officers.

a. Nomination and Election. NC-SARA shall fill vacant or soon-to-be-vacant positions regularly through a public nomination process. The 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. Council members shall be chosen through a majority vote of NC-SARA through a selection process approved by a majority vote of all NC-SARA members.

b. Selection Criteria. 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.

c. Regional Compact Presidents. The presidents of the four named regional compacts, as described in Article I, Section 2, of these bylaws, (or their designees) shall be voting members of NC-SARA, but shall not be eligible to serve as the NC-SARA Chair, or Vice Chair, or Treasurer. There shall be no term of office for the presidents of the regional compacts (or their designees), nor a limitation on consecutive terms.

d. Resignation. Any member may resign by written notice to the NC-SARA Executive Director and the NC-SARA Chair.

e. Removal. Any NC-SARA member who misses two consecutive NC-SARA meetings without advance notice or justification shall automatically lose his or her membership. Additionally, NC-SARA, at its discretion, may remove a member at any time for due cause by two-thirds vote of all NC-SARA members.
f. **Terms of Office.** Except as provided for in Article II, Section 1, c (page 2), the initial NC-SARA members shall be assigned two- and three-year terms randomly. All subsequent members of NC-SARA shall serve three-year terms and begin terms as a class. No member may serve more than three consecutive terms. The term of office for board members shall end at the conclusion of the final NC-SARA meeting of the last calendar year of their specified term, and the terms of successor board members shall begin at that same time, or upon appointment if filling a mid-term vacancy.

g. **Vacancies.** When a vacancy on NC-SARA exists mid-term, this seat may be filled through a special nomination process determined by the Executive Director in consultation with the Executive Committee. Any NC-SARA member selected to fill a vacancy shall serve the remainder of the term for the vacant seat, but may continue to serve if elected through the general nomination and selection process.

h. **Compensation.** NC-SARA members shall not receive compensation for their service, but may be reimbursed reasonable travel costs associated with attendance at NC-SARA meetings and any Executive Committee, ad hoc committee, or task force meetings.

i. **Officers.** NC-SARA shall have three officers: the Chair, Vice Chair, and Treasurer. Officers shall serve two-year terms, ending at the conclusion of the final NC-SARA meeting of the last calendar year of their specified term. Officers shall have the following duties:

1. **The Chair.** The Chair shall convene and preside over all meetings of the Executive Committee and all general NC-SARA meetings.
2. **The Vice Chair.** The Vice Chair shall preside over meetings in the absence of or at the request of the Chair.
3. **The Treasurer.** The Treasurer shall oversee the management and reporting of NC-SARA finances.

**Section 2: Executive Committee**

An Executive Committee shall provide support and guidance to the Executive Director on a regular basis.

a. **Executive Committee Action.** When matters require timely execution and, for practical reasons, cannot wait for a formal meeting of the full NC-SARA membership, the Executive Committee may act for and exercise all the powers of NC-SARA, except as such actions and powers are reserved to the members in accordance with these bylaws. Such actions by the Executive Committee shall be promptly reported to the full membership.

b. **Membership.** The Executive Committee shall be elected by NC-SARA. There shall be seven or 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, including any regional compact president who is elected to serve as Treasurer. 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 NC-SARA. The Chair, Vice Chair, and Treasurer of NC-SARA shall serve on the Executive Committee ex officio, without regard to term limits on the Executive Committee. The Chair and Vice-Chair of NC-SARA shall be Chair and Vice-Chair, respectively, of the Executive Committee. The Executive Committee shall also include the following non-voting individuals in its meetings:
i. **Executive Director.** The Executive Director (described in Article III, Section 2, below) shall serve on the Executive Committee, but shall not vote on any matters.

ii. **Past Chair.** The Chair from the previous term shall serve as confidant and advisor to the Chair, but shall not be required to attend Executive Committee meetings.

c. **Specified duties.** The Executive Committee shall have the following specific responsibilities:

   i. Solicit and consider nominations for NC-SARA Board Members and recommend candidates to the NC-SARA Board for the Board’s consideration and election.
   
   ii. 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.
   
   iii. Evaluate the performance of the NC-SARA Executive Director and, in consultation with the Finance Committee, recommend his/her compensation to the NC-SARA Board prior to the beginning of each fiscal year.
   
   iv. Any other duties enumerated elsewhere in these bylaws or assigned to the committee by the Chair of NC-SARA.

d. **Vacancies on the Executive Committee.** Vacancies on the Executive Committee shall be filled by vote of a majority of the remaining members of the Executive Committee. A person so elected shall serve until the next meeting of the membership of NC-SARA, at which time a special election shall be held to fill the vacancy for the remainder of the unexpired term.

**ARTICLE III**

**Governance and Staff**

Section 1: Governance
NC-SARA shall have oversight over the general operation of NC-SARA and shall delegate responsibility as set forth in section 2 below. NC-SARA shall review and approve the annual budget of all NC-SARA activities.

Section 2: Executive Director and Staff
The NC-SARA Executive Director shall be the chief executive officer of SARA and be responsible for administering the work and budget of NC-SARA, pursuant to the decisions of the Executive Committee and the full NC-SARA body. The Executive Director shall be responsible for the records and accounts of NC-SARA and oversee the work of the other staff members. The Executive Director shall be nominated by the NC-SARA Executive Committee and confirmed by a majority vote of all NC-SARA members. The Executive Director shall attend all Executive Committee and general NC-SARA meetings, but shall not vote on any matters.

**ARTICLE IV**

**NC-SARA Meetings**

Section 1: NC-SARA Meetings

a. **Semiannual Meetings.** The full NC-SARA body shall meet at least twice per year on a specific date, time, and location designated by the Executive Director. Members shall use these semiannual meetings to receive reports on the activities and budget of the organization, assess issues related to alignment among participating regional compacts, elect the members of the Executive Committee, and take other actions consistent with the mission of NC-SARA.
b. **Special Meetings.** Special meetings may be called by the Chair or a simple majority of the Executive Committee. A petition signed by one-third of the voting NC-SARA members may also call a special meeting.

**Section 2: Meeting Procedures**

a. **Notice of Meetings.** A notice shall be sent by the Executive Director to each NC-SARA member not less than one month prior to the meeting. Special meetings may be called with less than one month’s notice if necessary.

b. **Attendance.** All NC-SARA members are required to attend, either in person or virtually, all semiannual meetings. Members have the right to attend NC-SARA meetings by telephone, videoconference, or other technology that allows for remote access to meetings. If a member cannot attend, he or she shall give timely notice to the Executive Director. If a member cannot attend, he or she may send another person in his or her place, but such representatives shall not vote nor count toward a quorum.

c. **Quorum.** Those present at any properly announced meeting of the membership shall constitute a quorum.

d. **Rules of Procedure.** In the event a question of order or procedure shall arise which is not covered in these bylaws, Robert’s Rules of Order shall prevail.

e. **Voting.** All issues to be voted on shall be decided by a simple majority of those present at the meetings in which the vote takes place, except for matters requiring two-thirds vote as identified and described in these bylaws.

**Section 3: Action without a Meeting**

a. **Types of Eligible NC-SARA Actions.** Upon the resolution of the Executive Committee, any action that may be taken by the members at a meeting of NC-SARA may be taken through a mail ballot that shall be provided to every NC-SARA member. To go into effect, any action taken through mail ballot shall require the affirmative vote of a majority of the members.

b. **Mail Ballot Definition.** For the purposes of this section, the term "mail ballot" shall be deemed to encompass the use of both traditional and electronic mail, provided such use shall have been authorized by the Executive Committee.

**ARTICLE V**

Committees, Task Forces, and Common Interest Groups

Committees, task forces, and common interest groups may be appointed from time to time and report to the Executive Director, the Executive Committee, and/or NC-SARA, as appropriate.

**Section 1: Formation of Committees and Task Forces**

NC-SARA may create and dissolve committees and task forces as needed to serve in an advisory capacity. **With the exception of the Finance Committee and the Executive Committee, the NC-SARA Chair, in consultation with the Executive Director, shall appoint all committee and task force chairs.**

**Section 2: Duties of Committees and Task Forces**

All approved committees and task forces shall provide an update on their activities at Executive Committee meetings, upon the Chair’s or the Executive Director’s request,
and at meetings of the full NC-SARA membership until they complete their work or are dissolved. Any use of NC-SARA funds to support a committee or task force shall be approved by the Executive Director in consultation with the Executive Committee.

Section 3: Finance Committee
The Finance Committee shall be comprised of five members, including the Treasurer, who shall chair the Committee. The Chair of NC-SARA shall serve as an ex-officio member. The members shall include one of the four regional compact presidents, chosen by the compact presidents. 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 NC-SARA. The Finance Committee shall review the annual budget for SARA, developed by the Executive Director of NC-SARA in collaboration with the presidents of the four regional compacts, prior to its consideration by the Board. The Finance Committee also shall contract with an auditing firm for periodic audits, receive the audit, and report its findings to the NC-SARA Executive Committee and Board.

ARTICLE VI
NC-SARA Public Communications

The Executive Director is the principal spokesperson for NC-SARA for statements concerning local, state, and national policy and other such matters related to NC-SARA’s mission. Prior to making statements on matters for which NC-SARA has not taken an official position, the Executive Director shall make reasonable efforts to consult with the members of the Executive Committee and other NC-SARA members, as appropriate. The Executive Director shall share any statements made on behalf of NC-SARA in regular NC-SARA announcements.

Section 1: Written Communications
The Executive Director, in consultation with the Executive Committee and other NC-SARA members, as appropriate, may use written correspondence to voice a common concern, request clarification on a common topic, or state a consensus position on a topic or query of importance to NC-SARA. Any written communications must be shared with all NC-SARA members in a timely fashion.

Section 2: Presentations, including representation at external forums
In the course of carrying out his or her duties, the Executive Director may be asked to represent NC-SARA by giving a presentation or attending an external forum. A summary of these activities shall be shared with NC-SARA members in regular NC-SARA announcements.

ARTICLE VII
Amendments and Dissolution

Section 1: Amendments
NC-SARA may authorize, amend or restate operating guidelines, plans, practices and/or procedures from time to time in order to implement effectively its purposes, including any modifications to the bylaws that may be required under Colorado law. All amendments to these bylaws shall be approved by a simple majority vote of a quorum of NC-SARA members. Proposed amendments must be submitted to the NC-SARA Executive Director and sent out with regular NC-SARA announcements in advance of any vote.
Section 2: Dissolution
After discontinuance of business and payment of debts, any surplus funds shall be transferred as a gift and equitably divided among participating regional compacts.

ARTICLE VIII
Finances

Section 1: Fund Raising
NC-SARA shall raise funds by collection and receipt of gifts of money and property, grants, contributions, donations, bequests, receipts and fees for services so long as all such funds are accepted by the Executive Committee of NC-SARA.

Section 2: Funds Collected and Received.
All funds collected and received by NC-SARA, together with the income therefrom, shall be held, retained, managed, and conserved in a capital fund or funds and administered, used, and applied by the Executive Director in consultation with the Executive Committee in accordance with the mission purposes described in Article I of these bylaws. The Executive Committee may accept revenues and properties which are qualified, limited, or restricted in their use so long as such qualifications, conditions, limitations and/or restrictions shall not conflict with the mission and purposes of NC-SARA as described in Article I of these bylaws. Unless otherwise specifically required, such restricted revenues and/or property may be commingled with other funds of NC-SARA.

ARTICLE IX
Application and Use of Funds

Section 1: Management of Funds
Revenues received by NC-SARA shall be held in an account or accounts in the name of NC-SARA in such location(s) as may be designated by the Executive Committee or the Chair of the Executive Committee. NC-SARA shall hold, manage, invest, and reinvest its funds in accordance with the investment policies to be developed and approved by NC-SARA and shall collect and receive the income therefrom. After deducting all necessary expenses incident to the operation and administration of NC-SARA, such funds shall be utilized in accordance with the mission and purposes set forth in these bylaws. The Executive Committee may establish a committee within itself for the purpose of supervising and managing investments. All such revenues received and held by NC-SARA shall be distributed to such persons and in such amounts as NC-SARA shall deem appropriate, in keeping with the purposes of NC-SARA.

Section 2: Autonomy of NC-SARA
NC-SARA shall be the sole entity or person responsible for the application and use of its assets, including payment of its expenses in accordance with such operating guidelines as may be established by the Executive Committee; and it shall operate as an independent and autonomous entity for the purposes of meeting its financial obligations.
Section 3: 501(c)(3) Status
Notwithstanding any other provision of these bylaws, no expenditure shall be made in any manner or for any purpose whatsoever (i) which may jeopardize the status of NC-SARA as an organization under Section 501(c)(3) of the Internal Revenue Code, and under the Colorado Revised Nonprofit Corporation Act, Title 7, Articles 121-137 of the Colorado Revised Statutes and accompanying regulations; or (ii) which may jeopardize the status of contributions or payments by any person insofar as concerns deductions which are allowed under the provisions of Sections 170, 2055, 2106, and 2522 of the Internal Revenue Code and accompanying regulations.

ARTICLE X
Indemnification

Section 1: Authority
NC-SARA shall, to the fullest extent permitted by the Colorado Revised Nonprofit Corporation Act, indemnify all persons whom it may indemnify pursuant thereto so long as such persons have conducted themselves in good faith and reasonably believed their conduct not to be opposed to NC-SARA’s best interests.

Section 2: Insurance
NC-SARA shall purchase and maintain insurance on behalf of any person who is or was a member, officer, employee, or agent of NC-SARA who, while a member, officer, employee, or agent of NC-SARA, is or was serving at the request of NC-SARA as a member, officer, partner, trustee, employee, or agent of another corporation, partnership, joint venture, trust, employee benefit plan, or other enterprise against liability asserted against or incurred by him or her in that capacity or arising from his or her status as such, whether or not NC-SARA would have the power to indemnify him against the same liability under Article 129 of the Colorado Revised Nonprofit Corporation Act.

ARTICLE XI
Regulation

The regulation of the business and conduct of the affairs of NC-SARA shall conform to federal and state income tax laws and any other applicable federal and state law, and such regulation shall be determined by these bylaws, as they may be amended from time to time. In the interpretation of these bylaws, wherever reference is made to the United States Code, the Internal Revenue Code, the Colorado Revised Statutes, or any other statute, or to any section thereof, such reference shall encompass any future amendments, supplements, or supersession bylaws covering equivalent subject matter.
ARTICLE XII
Waiver of Notice

Except as otherwise provided by law, whenever any notice is required to be given to any NC-SARA member under the provisions of the Colorado Revised Statutes or under the provisions of the bylaws of NC-SARA, a waiver thereof in writing, signed by the person or persons entitled to such notice, whether before or after the time stated therein, and delivered to NC-SARA for inclusion or filing with the minutes or corporate records, shall be equivalent to the giving of such notice.

CERTIFICATION

These bylaws were approved at a meeting of the National Council for State Authorization Reciprocity Agreements by a two-thirds majority vote on May 14, 2014.

__________________________________________  ____________________
Paul Lingenfelter, NC-SARA Chair                        Date

Modifications to these bylaws were approved at a meeting of the National Council for State Authorization Reciprocity Agreements by a two-thirds majority vote on December 1, 2015.

__________________________________________  ____________________
Paul Lingenfelter, NC-SARA Chair                        Date

4815-2173-4166, v. 4
NC-SARA AGENDA ITEM

Action Item X: Election of council members and officers
Action Item: ☑ Yes  ☐ No

a) Election of Council members. The Chair will report the recommendations of the Nominating Committee.

b) Election of officers (Chair, Vice Chair and Treasurer). The Chair will report the recommendations of the Nominating Committee.
NC-SARA AGENDA ITEM

Information Items

a) 501(c) (3) status for NC-SARA ............................................................... page 60
b) Quarterly reporting of appealed complaints ........................................ page 62
c) Status of current year work ................................................................. page 63
ITEM (A): 501(C) (3) STATUS FOR NC-SARA

INTERNAL REVENUE SERVICE  
P. O. BOX 2568  
CINCINNATI, OH  45201

DEPARTMENT OF THE TREASURY

Date:  
OCT 13 2015

NATIONAL COUNCIL FOR STATE AUTHORIZATION RECIPROCITY  
3005 CENTER GREEN DRIVE STE 130  
BOULDER, CO  80301

Employer Identification Number:  
47-4382124

DRE:  
17053237310035

Contact Person:  
GERRY R MCLAUGHLIN  
ID#: 31115

Contact Telephone Number:  
(877) 823-5500

Accounting Period Ending:  
June 30

Public Charity Status:  
509(a)(2)

Form 990/990-EZ/990-N Required:  
Yes

Effective Date of Exemption:  
April 22, 2015

Contribution Deductibility:  
Yes

Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to www.irs.gov/charities. Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 947
We sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

Jeffrey I. Cooper
Director, Exempt Organizations
Rulings and Agreements

Letter 947
ITEM (B): Quarterly reporting of appealed complaints

Marshall Hill will report on the latest quarterly complaint reports.
ITEM (C): Status of current-year work

GOALS

Goal 1: Continue promoting state membership and institutional participation
Goal 2: Ensure financial self-sufficiency of SARA
Goal 3: Address operational maturation of the organization

ACTIVITIES

1. Identify strategies to increase state membership and institutional participation
2. Refine the process for substantive change to NC-SARA Policies and Standards
3. Ensure operational efficiency for membership of 35-40 states and 1,000+ institutions to include:
   a. One SARA agreement, rather than four - Expected Completion on 12/1/15
   b. Listserv for portal agency leaders - In Progress
   c. SARA cost study - Done
   d. SARA state portal agency annual meeting - November 30, December 1, 2015
   e. SARA operations or policy manual - January 2016
   f. Facilitate document-sharing among senior SARA staff (i.e., Sharepoint) - Done
   g. SARA effectiveness and efficiency metrics - In Progress
   h. Regular SARA webinars hosted by different regional compacts - Scheduled
   i. Evaluate need for promising (rather than best) practices document
   j. NC-SARA Annual Report (2016)
4. Position NC-SARA as a 501(c)(3) entity - Done, with more work to come
5. Publish initial data collection, reporting and analysis re:
   a. Complaint system - Done
   b. Distance education enrollment - Late spring, 2016
6. Review existing policies and standards with regard to:
   a. Tuition refunds
   b. Clinical placements/supervised field experiences - Continual
   d. Links to institutional distance education pages or Classification of Instructional Program (CIP) codes - Other approach more likely
7. Collaborate on potential solutions to other higher education policy topics
   a. Coordinate updates to SHEEO complaint process site - Continuing discussions
   b. Professional licensure - Continuing discussions
8. Manage solicitation of new board members - Done, for now
EXECUTIVE SESSION

The Council will go into executive session to discuss personnel and other issues.
EXECUTIVE DIRECTOR PRESENTATIONS MAY 2015 - DECEMBER 2015

ECS Annual Meeting
July 1, 2015
Denver, Colorado

Oklahoma SARA Meeting
July 15, 2015
Oklahoma City, Oklahoma

Delaware Department of Education
July 27, 2015
Dover, Delaware

Online Learning Consortium – OLC Annual International Conference
October 15, 2015
Orlando, Florida

NCSL's Annual Legislative Institute on Higher Education
October 8-10, 2015
Denver, Colorado

American Psychological Association
COUNCIL OF CHAIRS OF TRAINING COUNCILS (CCTC)
October 17th, 2015
Washington, DC

SREB SARA Steering Committee Meeting
October 29, 2015
Atlanta, GA

Virginia statewide SARA meeting
November 5, 2015
Richmond, VA

WCET Annual Meeting
November 11, 2015
Denver, CO

President’s Forum Annual Meeting
November 17-18, 2015
Washington DC

OLC Collaborate
November 19, 2015
Chicago, IL

AASCU Government Relations Conference
December 9-11, 2015
Austin, TX
National Council for State Authorization Reciprocity Agreements

A voluntary, regional approach to state oversight of distance education