NC-SARA

National Council for State Authorization Reciprocity Agreements
NC-SARA National Council Meeting
Virtual Meeting | Denver, CO.
May 5-6, 2020
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AGENDA
Welcome and introductions — Teresa Lubbers, Chair

Agenda Item I (ACTION): Approval of minutes of the October 29-30, 2019 meeting

Agenda Item II: Update on NC-SARA progress
   a) Lori Williams, National Council for State Authorization Reciprocity Agreements (NC-SARA)
   b) Susan Heegaard, Midwestern Higher Education Compact (MHEC)
   c) Michael Thomas, New England Board of Higher Education (NEBHE)
   d) Stephen Pruitt, Southern Regional Education Board (SREB)
   e) Demarée Michelau, Western Interstate Commission for Higher Education (WICHE)

Agenda Item III: Report and recommendations of the Executive Committee — Teresa Lubbers, Chair
   a) (ACTION) Temporary Emergency Provisional Admission of non-SARA institutions and continuing participation for SARA institutions with lower than 1.5 Federal Financial Composite Scores
   b) (ACTION) Approval of Draft Strategic Plan
   c) Update on Succession Planning for Board Members in 2021

Action Item IV (ACTION): Finance Committee report – Leroy Wade, Treasurer
   a) (ACTION): NC-SARA Financial Reserves Policy
      The proposed Financial Reserves Policy will be provided under separate cover.
   b) (ACTION): NC-SARA Financial Investment Policy
      The proposed Financial Investment Policy will be provided under separate cover.
   c) Third-quarter FY 2020 Finance Report
      The finance report will be provided under separate cover.
d) **(ACTION):** Approval of the NC-SARA Budget for FY 2021-22
   The proposed FY 2021 budget will be provided under separate cover.

**Agenda Item V:** Federal Higher Education Landscape Impact on NC-SARA
- Mike Goldstein, Senior Counsel, Cooley LLP

**Agenda Item VI:** Communications Plan - Alex Sollberger, Stone River Group

**Agenda Item VII (ACTION):** Modifications to the SARA Manual

*Modifications to Align with Federal Regulations*

a) **(ACTION):** Approve Section 2.5 (h.1) adjustment to align with Federal Regulations that were inadvertently left out of the SARA Manual

b) **(ACTION):** Approve Section 5.2 adjustment regarding programs leading to Professional Licensure to correlate to new Federal Regulations

*Modifications to Clarify Processes*

c) **(ACTION):** Approve Section 2.5(c) clarification on the need for all states to have a process to review institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5

d) **(ACTION):** Approve Section 2.5(e) clarification of language regarding to which agency or body an institution may appeal a decision regarding participation in SARA

e) **(ACTION):** Approve Section 2.5(i)(7) clarification of SARA student complaints attending an out-of-state branch campus

f) **(ACTION):** Approve Section 2.5(o) clarification of regulation of online/Distance Education activities by the Host State

g) **(ACTION):** Approve Section 2.5 (q), addition of this sentence: “States shall have a process for considering applications for provisional status.”

h) **(ACTION):** Approve Section 2.5(i)(7) clarification of SARA student complaint venue if attending an out-of-state branch campus

i) **(ACTION):** Approve Section 5.3 clarification of policy regarding field trips and seasonal residential activity, with adjustment of language in Explanatory Note: SARA covers class field trips that do not involve multi-night residency

j) **(ACTION):** Approve Section 5.7(a), to align with SARA Policy, add, “and section 2.5, subsections n and o.”

k) **(ACTION):** Approve Section 6.1(b) and (c) modification to reflect data policy and remove process information
I) (ACTION): Approve Section 6.2 modification to reflect data policy and remove process information

Agenda Item VIII: Information items – Lori Williams

a) Update on response to COVID-19

b) Enrollment and experiential learning placement reporting

c) Update on Salesforce and other system updates, changes to the website, student and institution support, searchable catalog of academic programs offered by SARA participating institutions, and the “State Authorizations Guide.”

d) Update on personnel changes and staff activities

Agenda Item IX (ACTION): Executive session

Agenda Item X: Questions, comments, reflections from board members

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

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Welcome and introductions — Teresa Lubbers, Chair

Action Item: □ Yes  ☑ No
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Agenda Item I: Approval of minutes of the October 29-30, 2019 meeting

Action Item: ☑ Yes ☐ No
NOTICE OF THE MEETING

Notice of the time and place of the NC-SARA Board Meeting was posted on the NC-SARA website and given to Board members, regional SARA directors, and other interested parties.

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

Welcome and introductions

Paul E. Lingenfelter, Chair

Board members in attendance:
Chris Bustamante
Kathryn Dodge
Susan Heegaard
Teresa Lubbers
Leah Matthews
Demarée Michelau
Pat O’Brien
Stephen Pruitt
Pam Quinn
Ed Ray
George Ross
Kathleen C. Santora
Paul Shiffman
Peter Smith
Michael Thomas
Larry Tremblay
Leroy Wade
Belle Wheelan

Regional compact staff present:
Sara Appel, MHEC
Wanda Barker, SREB
Emily Jacobson, MHEC
Elisa Jaden, SREB
Shelley Plutto, WICHE
Christina Sedney, WICHE
Rachael Stachowiak, NEBHE

State portal entity staff present:
Angela Lee, District of Columbia Office the State Superintendent of Education

Guests:
Michelle Michelbacher (note-taker)

Board members in attendance by phone:
No one.

Board members not in attendance:
Barbara Ballard
Dianne Harrison

NC-SARA staff present:
Marianne Boeke
Mary A. Larson
Lori Williams
Shannon Walker
Jeannie Yockey-Fine
Meeting was called to order at 9:00 AM (Eastern Daylight Savings Time)

Agenda Item I (ACTION): Approval of the minutes of the May 8-9, 2019 meeting.

Board member Demarée Michelau asked for a motion to approve the minutes with a couple of corrections as follows, “President Michelau informed the Board that the Western Interstate Commission for Higher Education compact is home to 16 SARA member states, with California being the only WICHE state (and the only state in the U.S.) that has not yet applied to join the initiative. State renewals remain consistent, with New Mexico and Wyoming being the most recent WICHE SARA members to be reapproved.”

Motion to approve – Demarée Michelau
Seconded – Belle Whelan
Approval passed unanimously, with the revision suggested above.

Agenda Item II: Update on NC-SARA progress

a) Lori Williams, NC-SARA
NC-SARA President and Chief Executive Officer (President) Lori Williams described the current state of NC-SARA by walking the Board through the Appendices in the Board meeting book, beginning with the listing of state fees that are optionally charged to institutions beyond NC-SARA fees in Appendix A. Appendix B shows charts and graphic images depicting the member states and participating institutions, and Appendix C shows the history of state actions to join SARA as members. A discussion about the longer-term possibility of California joining SARA took place also, with the emphasis on the need to demonstrate the benefit to students, with recommendations for testimonials from existing states and institutions.

b) Susan Heegaard, Midwestern Higher Education Compact (MHEC)
President Susan Heegaard of MHEC informed the Board of some steering committee and staffing changes, as well as the work on strategic planning. She also shared that President Williams came for a visit and with her to Wisconsin to a dinner for institution leaders interested in SARA policy.

c) Michael Thomas, New England Board of Higher Education (NEBHE)
President Michael Thomas invited the Board to join him in recognizing the work of Rachael Stachowiak, NEBHE’s SARA Director. He also described the increase in the number of SARA participating institutions in his region, particularly in Connecticut, and the slowing of merger activity. President Thomas shared the support NEBHE has from its state stakeholders for continued and expanded training. He also described the advanced review of and consideration of changes to NC-SARA policies as inclusive, transparent, and positive for state portal entities.

d) Stephen Pruitt, Southern Regional Education Board (SREB)
President Stephen Pruitt of SREB shared with the Board his sincere thanks for the work of Wanda Barker (Director, Education Technology and Multistate Cooperative Programs) and Elisa Jaden (Coordinator, Student Access Programs and Services) and the reauthorization of six states. He also explained how he was able to ensure the continued membership of two states whose continued membership was in question. President Pruitt also described statewide SARA meetings in several states in his region that
represents approximately 45% of SARA’s participating institutions. He also explained that the state portal entities need more support, training and financial assistance and that SREB wants to support these needs to do the right thing for students.

e) Demarée Michelau, Western Interstate Commission for Higher Education (WICHE) President Demarée Michelau shared with the Board that she and her staff, SARA Director, Christina Sedney and Shelly Plutto have been working to formalize the practices of W-SARA. She thanked the NC-SARA staff for assisting her before Christina took on the W-SARA Director role. President Michelau described her work with California to revise its internal policies and practices relative to student complaints and similar work in the U. S. Affiliated Pacific Islands. President Michelau also reported that three WICHE region states held state SARA meetings to encourage institution compliance.

**Agenda Item III (ACTION):** Report and recommendations of the Executive Committee – Paul E. Lingenfelter, Chair

a) *(ACTION):* NC-SARA FY 2019 audit report

Chair Lingenfelter invited Treasurer Wade to share an update on the financial status of the organization. Treasurer Wade reported that the financial health of the organization is strong as is reflected in the audit. A discussion took place about the desire to move to a new auditor after using the same firm for the past four years.

Motion to approve – Leah Matthews
Seconded – Leroy Wade
Motion passed unanimously.

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

Chair Lingenfelter briefly reviewed the proposed changes to the NC-SARA Bylaws to substitute the words “Board” or “NC-SARA” for the word “Council” in order to differentiate between the NC-SARA Board and the organization called NC-SARA.

Discussion ensued regarding the changes as proposed, and an additional recommendation was made to revise a sentence regarding the composition of the Finance Committee. A modified version of the language for Article 5, Section 3 is featured in the excerpt below in underlined red:

Section 3: Finance Committee

The Finance Committee shall be comprised of five up to six members, including the Treasurer, who shall chair the Committee."

Motion to approve changes (as noted and discussed) – Susan Heegaard
Seconded – Larry Tremblay
Motion passed unanimously.

c) Nomination of Board members to a three-year term 2020 through 2022

- Chris Bustamante
- Kathryn Dodge
Board members asked that the minutes reflect that the period of time is a three-year term beginning immediately following the October 2019 board meeting through the last board meeting in the fall of 2022. Chair Lingenfelter also noted that no vacancies will exist on the board in 2020 unless someone resigns to allow space for new members to join, given the situation with founding members being permitted to remain on the board for a third three-year term. He recommended that the board consider an orderly progression and add two or three new board members each year. It was also noted by Belle Whelan that there was a misprint regarding Paul Shiffman’s current term end year, which said 2021 on page 5 of the board meeting book and should have read 2019.

Motion to approve – Executive Committee
Nomination passed unanimously.

d) Nominations for two-year terms to Executive Committee (returning members) – 2020 through 2021
   ● Chris Bustamante
   ● Patricia O’Brien
   ● Larry Tremblay
Chris Bustamante asked that as in the motion immediately preceding that it be made clear that the term is for two years, through 2021.

Motion to approve – Executive Committee
Nomination passed unanimously.

e) Nomination of Regional Presidents to serve on the Executive Committee
   ● Susan Heegaard
   ● Stephen Pruitt

Motion to approve – Executive Committee
Nomination passed unanimously.

f) Nominations of members of the Finance Committee
   ● Kathryn Dodge (re-election)
   ● Leah Matthews (re-election)
   ● George Ross (election)

Motion to approve – Executive Committee
Nomination passed unanimously.

g) Nominations of Officers
   ● Chair: Teresa Lubbers
● Vice Chair: Ed Ray
● Treasurer: Leroy Wade

Motion to approve – Executive Committee
Nomination passed unanimously.

h) Nomination of individuals to be elected to three-year terms to the NC-SARA Board, 2020 through 2022

● John Cavanaugh
● Arthur “Art” L. Coleman
● Laurie Dodge
● Robert “Rob” E. Anderson

Motion to approve – Executive Committee
Nomination passed unanimously.

Chair Lingenfelter thanked Kathleen Santora for her service on the NC-SARA Board as she steps off the Board following this Fall 2019 meeting.

Prior to turning to the Finance Committee Report, Chair Lingenfelter proposed that the Board consider a reserves policy change from 50% to 100% for NC-SARA. Discussion ensued, and a decision was made to defer a decision until the May 2020 Board meeting after further research and discussion amongst the Finance Committee members.

**Agenda Item IV (ACTION):** Finance Committee Report – Leroy Wade, Treasurer

a) Finance Committee report
b) Review of institution fees for FY 2021 and FY2022

Treasurer Wade shared the Finance Committee proposal and rationale for neither increasing nor decreasing the current institutional fees ($2,000 for institutions with full time enrollments (FTEs) under 2,500, $4,000 for 2,500-9,999 FTEs, $6,000 for FTEs 10,000 or more).

Motion to approve – Finance Committee
Motion passed unanimously.

**Agenda Item V (ACTION):** Modifications to the SARA Manual

NC-SARA President Lori Williams guided Board members through the recommended revisions to be made to the SARA Manual. Discussions about the proposed modifications with the Executive Committee, the Regional Compact Presidents, the Regional Compact Directors, and the State Portal Entities resulted in the revisions presented to the Board. The key areas that were described in the overview are listed below.

Following the overview, Chair Lingenfelter suggested that the modifications be voted on as a package, and then opened the floor for questions and suggestions.
a) Approve recommendation that states determine consequences for institutional failure to report enrollment data with an implementation date of January 1, 2021.

Chair Lingenfelter called for a motion to approve the language change.
Motion to approve – Larry Tremblay
Second – Demi Michelau
Approval passed unanimously.

b) Approve affirming state responsibility to make timely confirmation of federal financial composite scores to determine an institution’s eligibility to participate in SARA with an implementation date of January 1, 2021.

c) Chair-elect Teresa Lubbers recommended the language be changed to “within 90 days of notification” instead of “within 90 days of publication.” A modified version of the language for Section 2.5 c. is featured in the excerpt below in underlined red:

“SARA States are to monitor the U.S. Department of Education’s periodic publication of Composite Scores, review the scores assigned to the institutions they have approved to participate in SARA, determine whether those scores meet SARA requirements, and within 90 days of notification take appropriate action regarding the SARA participation of those institutions.”

Chair Lingenfelter called for a motion to approve the language change.
Motion to approve – Larry Tremblay
Second – Demi Michelau
Approval passed unanimously.

Board members clarified that although the states have responsibility for determining an institution’s eligibility to participate, NC-SARA staff will continue to assist states in obtaining information about changes to composite scores, sending messages when the Heightened Cash Monitoring reports are released quarterly from the U.S. Department of Education, for example. President Williams also agreed to work to develop training for states on this topic and Leah Matthews agreed to assist in this effort.

d) Approve recommendation regarding an institution’s eligibility to participate in SARA following a change in ownership

President Williams invited Jeannie Yockey-Fine to describe the need for the modification regarding an institutional change in ownership. Following discussion and a recommendation to clarify the role of accreditors in change of ownership, it was agreed to add the parenthetical phrase, after the word “agencies,” “including the institution’s accreditor,” to the recommended SARA Manual language change. A modified version of the language for Section 3.4 is featured in the excerpt below in red (i.e. red and underlined):

3.4 SARA eligibility following Change of ownership:
a. A change of ownership will be determined by the home state.
   
   1. A SARA participating institution will remain under SARA until the required approvals are completed by all agencies, including the institution’s accreditor.

Chair Lingenfelter called for a motion to approve the language change.
Motion to approve – Patricia O’Brien
Approval passed unanimously.

e) Approve recommendation regarding aligning new Federal Regulation language with the SARA Manual language on the use of the word “located” versus “resides.”

Larry Tremblay asked for further clarification about the language change as it pertains to professional licensure disclosure. Mary Larson and Jeannie Yockey-Fine elaborated on the federal rules that required the change.


Susan Heegaard asked for clarification about the process for making additional modifications to the SARA Manual, especially given any discrepancies between the Manual and the Unified Agreement. President Williams explained that any proposed changes are to be brought to the Board for review, discussion, and a vote on adoption.

Chair Lingenfelter then asked for a motion to approve the package of changes to the SARA Manual.

Motion to approve – Larry Tremblay
Second – Kathryn Dodge
Approval passed unanimously.

Additional approved edits will be made to the SARA Manual and to the Bylaws and the latest versions will be uploaded to the NC-SARA website.

Agenda Item VI (ACTION): Information items – Lori Williams

a) Update on President’s 30-6-90 Day Plan

NC-SARA President Williams shared that all items on her 90-day plan have been accomplished including getting to know the Board members, meeting with the Executive and Finance Committees, and the Regional Compact Presidents and Directors. She reported having attended multiple meetings during her “listening tour” including state portal entity and regional compact steering committee meetings. She also described the RFP process for selecting consultants to assist in communications, public relations, and strategic planning, in alignment with a Strategic Vision document she wrote and shared during a Board retreat on October 29, 2019.

b) Enrollment and experiential learning placement reporting

NC-SARA President Williams asked staff member Marianne Boeke to brief the Board about the annual Enrollment and Out-of-State Learning Placements (OOSLP) data SARA-participating institutions submit to NC-SARA.

c) Federal negotiated rulemaking

NC-SARA President Williams asked staff member Jeannie Yockey-Fine to share an update on the status of the federal negotiated rulemaking. President Williams and new NC-SARA Board Chair Teresa Lubbers met with the U.S. Department of Education
senior staff on Monday, October 28, 2019 and were assured that NC-SARA comments were heard and were considered in the soon-to-be-released final rules.

d) Update on website, student and institution support and searchable catalog of academic programs offered by SARA participating institutions NC-SARA President Williams asked staff member Mary Larson to share an update on the status of the development of these web-based activities and projects.

e) Staffing and staff activities
   NC-SARA President Williams invited Board members to review the lengthy list of meetings and conferences attended by staff over the last six months. (See Board book for detailed chart of activities.)

Agenda Item VII: Executive Session

Agenda Item VIII: Questions, comments, reflections from Board members

Adjourn
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NC-SARA AGENDA ITEM

May 5-6, 2020

Agenda Item II: Update on NC-SARA progress

Action Item: ☐ Yes ☑ No


Lori Williams will provide an overall assessment. Regional compact presidents will focus more closely on developments within their regions.

a. Lori Williams, National Council for State Authorization Reciprocity Agreements (NC-SARA)
b. Susan Heegaard, Midwestern Higher Education Compact (MHEC)
c. Michael Thomas, New England Board of Higher Education (NEBHE)
d. Stephen Pruitt, Southern Regional Education Board (SREB)
e. Demarée Michelau, Western Interstate Commission for Higher Education (WICHE)

See figures in Appendices
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NC-SARA AGENDA ITEM  

May 5-6, 2020

**Agenda Item III:** Executive Committee Report– Teresa Lubbers, Chair

**Action Item:**  
☑ Yes  ☐ No

a. *(ACTION)* Temporary action response to COVID-19 regarding use of Federal Financial Composite Scores for participating SARA institutions

b. *(ACTION)* Approval of Draft Strategic Plan

c. Update on Succession Planning for Board Members in 2021
a) **ACTION:** Potential NC-SARA temporary response to COVID-19 regarding use of Federal Financial Responsibility Scores for participating SARA institutions

**Background**

Some NC-SARA participating institutions have expressed concerns regarding NC-SARA’s federal financial composite score requirement for participation in the reciprocity agreement, in the wake of this unprecedented global COVID-19 pandemic. NC-SARA takes these concerns from our participating institutions very seriously and does understand the severe financial strain that institutions are experiencing at this time.

NC-SARA has been asked by some of its private SARA member institutions who are also members of ACE and NAICU to consider a three-year waiver or removing altogether its requirement to use federal financial responsibility scores as a measure of institutional financial stability.

States and territories joined the NC-SARA agreement as a service to make state authorization of distance education uniform and reciprocal across states. The states operate under the supervision of the four regional compacts and NC-SARA, therefore, is not a membership organization in which institutions are members. States are members of the agreement following legislation passed in each state, and institutions participate in the agreement under each of their respective states, under the compacts.

No SARA participating institution currently in good standing should be concerned about losing its ability to participate as a result of financial problems stemming from the COVID-19 pandemic since the federal financial responsibility score is based on data two years old. Any potential financial issues resulting from the coronavirus pandemic will not show up in these scores for more than two years. The same is true for non-SARA institutions seeking to join. Moreover, for SARA participating institutions with a federal financial composite score between 1.0 and 1.5, states may consider other information that provides evidence of an institution’s financial stability and at its discretion, make a determination about this evidence to justify an institution’s continued participation in SARA. This provisional status may continue up to two years. This puts a SARA participating institution currently concerned about finances next term out four years before there are likely issues with SARA participation being at risk.

In addition, the federal Office of Management and Budget has recently granted academic institutions an extension of six months for single audits for fiscal year-end through June 30, 2020. See item 13 at https://www.whitehouse.gov/wp-content/uploads/2020/03/M-20-17.pdf. This puts the time frame for potential concern about SARA participation out an additional six months, at about four and a half years.

The time that we have now, during which no institutions need to be concerned for at least two years is a time in which we do need to consider a different way to measure financial stability. The federal financial responsibility score is a less than perfect measure and we can now open a conversation about an alternative. It warrants discussion and further dialogue, not only within NC-SARA, but also in the Department of Education. The good news is that we do have time to have this conversation in collaboration with the states and
Responses to a survey sent to State Portal Entities (SPEs) in each SARA member state, regarding a temporary emergency change to policy concerning the use of the federal financial composite scores will be shared for the Board’s consideration.

Recommendation

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

b) **ACTION:** Approval of Draft Strategic Plan

**Background.**
NC-SARA offered a Request for Proposals to several potential consultants which resulted in hiring Brainard Strategy to provide consulting support and structure for the strategic planning process, research, and resulting plan for 2021-2023. The process of seeking input included an environmental scan, a Strengths, Weaknesses, Opportunities and Threats (SWOT) analysis, a Political Economic, Social-Cultural, and Technological (PEST) analysis, individual interviews, and surveys to provide the highest inclusivity with our many stakeholders, to seek strategic improvement and service enhancement opportunities to states, schools, and students. A Strategic Planning Steering Committee was formed that included the Executive Committee of the Board and NC-SARA senior staff members. This Committee met four times and worked with Brainard Strategy to analyze the results of the multiple assessments and create a Board-ready strategic plan that creates clarity and alignment throughout the organization and with all stakeholders. The strategic planning process was aligned and complementary within the current context of the NC-SARA mission and the community. The resulting strategic plan provides focus and integration for the organization and creates a means for all constituent groups to work together in an integrated way to deliver value for students, states, and the overall post-secondary distance education community.

The resulting draft NC-SARA 2021-2023 Strategic Plan is provided under separate cover.

**Recommendation**

Teresa Lubbers, Chair, will present an update on succession planning from the Executive Committee.

c) **Update on Succession Planning for Board Members in 2021**
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NC-SARA AGENDA ITEM

May 5-6, 2020

Agenda Item IV: Finance Committee Report – Leroy Wade, Treasurer

Action Item: ☑ Yes ☐ No

a) (ACTION): NC-SARA Financial Reserves Policy
   The proposed Financial Reserves Policy will be provided under separate cover.

b) (ACTION): NC-SARA Financial Investment Policy
   The proposed Financial Investment Policy will be provided under separate cover.

c) Third-quarter FY 2020 Finance Report
   The finance report will be provided under separate cover.

d) (ACTION): Approval of the NC-SARA Budget for FY 2021-22
   The proposed FY 2021 budget will be provided under separate cover.
a) **ACTION:** NC-SARA Financial Reserves Policy – Leroy Wade, Treasurer

Leroy Wade, Treasurer, will lead the discussion and present the recommendation of the Finance Committee.

**Background:** Currently NC-SARA is expected to maintain a reserve of 50% of its operating expenses, or enough to continue without new revenue for a period of six months to mitigate potential unforeseen risks to the organization’s financial future. A review of comparable non-profit organizations was provided by former NC-SARA Board member, Kathleen Santora, that shows the range for reserves of similar national organizations is between 75% and 125%. In alignment with Finance Committee members’ recommendation, Mike Goldstein, NC-SARA’s external counsel recommends NC-SARA funding reserves at 100% to have one year’s worth of funding to support current operations given the high risk of a lawsuit. Even a lawsuit that NC-SARA wins would be costly to the organization.

**Finance Committee recommendation:** Approve the NC-SARA Financial Reserves Policy as drafted by the Finance Committee with input from the CEO and Finance Director.

b) **ACTION:** NC-SARA Financial Investment Policy – Leroy Wade, Treasurer

Leroy Wade, Treasurer, will lead the discussion and present the recommendation of the Finance Committee.

**Background:** NC-SARA currently maintains its reserves in cash sweep accounts, and short term 6-month and 12-month CDs. The Board has recommended NC-SARA enlist the assistance of an investment advisor and adopt an investment policy that is aligned with high liquidity, protection of investment, low risk, and without huge penalties for withdrawal, and is not a growth strategy.

**Finance Committee recommendation:** Approve the NC-SARA Financial Investment Policy as drafted by the Finance Committee with input from the CEO and Finance Director.

c) **Third-quarter FY 2020 Finance Report – Leroy Wade, Treasurer**

The finance report will be provided under separate cover.

NC-SARA ended the third quarter of FY 2020 in a strong financial position. Financial statements relating to the quarter will be distributed separately. Leroy Wade, Treasurer, will present the third quarter report.

d) **ACTION:** NC-SARA Budget for FY 2021– Leroy Wade, Treasurer

**Background:**

**Context: NC-SARA as a maturing organization**

NC-SARA is a fully independent 501(c)(3) entity, with established organizational and business structures (accounting, audit, payroll, employee benefits, communications, etc.).
NC-SARA staffing growth has trailed the evolution of NC-SARA. Starting with 2.5 FTE staff in the fall of 2013, NC-SARA staff currently total ten FTE.

NC-SARA now includes 49 states (all but California), plus the District of Columbia, Puerto Rico and the U.S. Virgin Islands. Approximately 2,083 institutions now participate in SARA. California, if it eventually joins, would likely eventually contribute another 200 institutions.

Proposed FY 2021 budget
The proposed budget estimates that revenues will remain consistent with the prior year actuals, as we anticipate minimal net change in membership. The operating budget includes a 15% spend increase. The organization has more than doubled revenues over the past 4 fiscal years, amounting to a 107% increase. Operating spend over that span has increased by 50%. The proposed budget reflects an organization that is still implementing the systems, processes and content appropriate and necessary to fulfill the mission and obligations of NC-SARA. It shows an organization that is reaching nearer to a maturing, stable phase after several years of significant growth.

Highlights of the proposed FY 2021 budget:

- The budget conservatively estimates revenues to grow at 1%.

- It provides for increasing each compact’s SARA allocation by 2.4% to $464,000 for FY 2021, resulting in an increase in each compact’s level of accumulated SARA reserves funding from $227,000 to $232,000.

- The funding needs of a 100% reserve requirement, anticipated to be established by the Board, is already satisfied by idle cash assets. It is anticipated that the Board will adopt an investment policy that will make strategic use and placement of the reserve funds. Future budgets will consider the availability of cash from operations necessary to fund the organization’s reserve requirement. This is not necessary for FY 2021.

- The budget proposes adding three additional staff members, above staffing levels approved in the FY 2020 budget, and incorporates staff compensation increases recommended by the President and CEO.

- It presents a 15% increase in operating expense, highlighted by continued
investment in travel, the utilization of outside professionals, and the implementations of several critical operational systems upgrades and additions, bringing NC-SARA closer to a steady state in terms of our ongoing operations.

- The budget features the inclusions of Board approved enhancements in student, institution and state support activities.

Compact Allocations and Reserves

NC-SARA revenues consist entirely of annual fees that NC-SARA receives from institutions that participate in SARA. The institutional fee levels ($2,000 - $6,000/year, dependent upon institution enrollment) have remained constant since the establishment of NC-SARA in 2013 and are currently set by NC-SARA to remain at that level through June 30, 2022. Some SARA states charge their institutions a SARA participation fee, of which the fee amounts vary widely.

The sharing of institutional fees with the regional compacts is a component of NC-SARA’s operating expense budget, as is the provision of reserve funding for the regional compacts. These allocations are proposed to be $464,000 for FY 2021, an increase from $453,000 in FY 2020. Using the same methodology consistent with the last several years, the 2.4% increase is the result of taking the average increase in the CPI and the HEPI, over their respective last year reported on. The Commonfund Higher Education Price Index’s (HEPI) for calendar 2019 increased 2.3 percent and the Higher Education Price Index (HEPI) increased 2.5 percent for FY 2019 (July 1, 2018-June 30, 2019).

NC-SARA also provides each regional compact Board-approved SARA reserve funding, resulting in an accumulated SARA reserve funding requirement of $464,000 per compact for FY 2021, representing 100% of their current compact allocation. The reserve requirement was $227,000 in FY 2020. As such, NC-SARA will transfer $237,000 to the compacts to achieve the $464,000 requirement.

Allocations are made to the four compacts as revenues are received by NC-SARA. Within ten business days of the end of each fiscal quarter, NC-SARA distributes to each compact, 16% of net revenues received during that quarter. Those allocations are made quarterly to each compact until the full amount of their fiscal year allocations is reached.

NC-SARA Reserve Requirements

- We anticipate the Board will vote to approve at this meeting that the funding level for NC-SARA reserves will be 100% of the Board-approved Fiscal Year budget.

- NC-SARA has adequate funds in its primary checking accounts to support operations.

- The cash assets outside of checking are adequate enough to fund the reserve requirement of 100% of operations, based on the current year operating budget. We anticipate the Board will approve measures to invest these funds, strategically, as Short-term reserves and Long-term reserves. For FY 2021, it will not be necessary to fund the reserve from cash yielded from operations.
**Staff recommendations:**

- Increase each regional compact’s allocation for FY 2021 to $464,000.
- Increase each compact’s total SARA reserve funding by $237,000, to total $464,000.
- Establish the funding level for NC-SARA reserves at 100 percent of the approved FY 2021 operating budget.
- Approve the funding levels proposed in the FY 2021 budget, inclusive of the addition of three additional staff positions.
- Approve the Investment Policies and Guidelines.

The proposed budget was reviewed by the NC-SARA Finance Committee (Leroy Wade, Treasurer and chair; Teresa Lubbers; George Ross; Demi Michelau; Kathryn Dodge; and Leah Matthews). Treasurer Wade will present the Committee’s recommendations at the May 6 Board meeting.

**Finance Committee recommendation:** Approve the NC-SARA FY 21-22 budget as drafted by the CEO and Finance Director with input from the Finance Committee.
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NC-SARA AGENDA ITEM

Agenda Item V: Federal Higher Education Landscape Impact on NC-SARA
Mike Goldstein, Senior Counsel, Cooley LLP

Action Item: □ Yes ☑ No
MEMO

To: NC-SARA  
From: Stones River Group  
Subject: 2020 Communications Plan  
Date: March 25, 2020

Stones River Group (SRG) welcomes the opportunity to support and strengthen NC-SARA’s communications efforts in 2020. We recognize a comprehensive public relations strategy is integral to successfully elevating the organization as a higher education thought leader and distance learning expert, while also establishing a strong communications foundation for more regular and proactive engagement with targeted audiences and stakeholders.

After launching our engagement with NC-SARA and conducting a deep-dive session with the NC-SARA team, SRG has compiled the following communications priorities and recommendations to guide our work together.

2020 Communications Priorities

To support a stronger communications and messaging platform for NC-SARA in 2020, SRG has developed the following high-level priorities:

- Introduce Lori Williams as the CEO and president of NC-SARA and begin building thought leadership profile.
- Launch proactive communications strategy to identify distinct stakeholder audiences and develop unique engagement content.
- Strengthen reporter relationships and engagement with NC-SARA leadership.
- Enhance foundational collateral and messaging materials to reinforce NC-SARA’s focus on strengthening access to quality distance learning opportunities for students nationwide.
- Launch a new cadence of communications materials, including newsletters, press releases, and collateral documents that amplify priority initiatives and projects.
- Introduce a new NC-SARA social media strategy to help engage priority audiences.

Strategic Recommendations
Strengthen the Messaging and Craft New Collateral

NC-SARA and SRG are working together to audit existing messaging materials and develop a strategy to build a more impactful and relevant collateral suite. SRG has crafted a new “About NC-SARA” one-pager that succinctly explains the organization’s purpose and history, and outlines priority projects and initiatives.

SRG has also suggested the creation of additional materials, such as an infographic explaining the distinction between state regulatory authority and NC-SARA’s scope as well as a one-pager focused on NC-SARA’s consumer protection work. We will work with NC-SARA leadership to ensure we are developing appropriate materials that speak to distinct stakeholder audiences. SRG will continue to expand the collateral and messaging materials available for NC-SARA to share with policymakers, media, and stakeholders through in-person meetings and on the NC-SARA website.

Enhance NC-SARA Website

The NC-SARA website was recently upgraded to better organize and feature relevant content. SRG conducted an audit of the website to suggest additional enhancements that could amplify key messaging. Our recommendations included adjusting the categorization of news content, highlighting a pathway for reporters to submit media inquiries, creating a new section about NC-SARA’s consumer protections work, and adding more student-focused imagery throughout the site. SRG is working with NC-SARA to complete the implementation of these recommendations in spring 2020.

Launch a Rebranding Project

After six years of successful operation and expansion, NC-SARA has the opportunity to reimagine its branding and incorporate more compelling design elements into its collateral materials and website. SRG is facilitating a branding project that includes the following deliverables:

- NC-SARA logo and brand guidelines
- NC-SARA tagline to accompany the new brand
- NC-SARA PowerPoint template
- NC-SARA letterhead, memo, and notecard templates
- NC-SARA press release template for digital communications
- NC-SARA newsletter templates
- NC-SARA business cards

SRG will present an update on this branding project at NC-SARA’s May board meeting.

Distribute Regular NC-SARA Newsletters

To further establish itself as a thought leader, NC-SARA must create regular communications to reach key audiences. SRG is facilitating the development of two newsletters that will be distributed regularly: one newsletter will be released quarterly to a broad stakeholder audience (including state and federal policymakers, interested media, SHEEOs, institutions, accreditors, other higher education advocacy organizations, associations, and partners) and the other will be released monthly to the regional higher education compacts to ensure consistent outreach. The newsletters will share a short message from the NC-SARA CEO, along with relevant announcements, recent news and press releases, and upcoming events. SRG expects to launch the newsletters in summer 2020.

Enhance Media Engagement Efforts

As the new CEO of NC-SARA, it is important to formally “roll out” Dr. Lori Williams to targeted reporters
covering higher education and distance learning issues. SRG has extensive relationships with reporters at respected outlets like the *Washington Post, Chronicle of Higher Education, Inside Higher Ed, Education Dive, POLITICO*, and *Hechinger Report*, among others. We arranged for Lori to meet with reporters from a number of these outlets in December 2019 and will schedule additional meetings to further these relationship development efforts in 2020.

Additionally, SRG has compiled broad media lists for NC-SARA to use when distributing press releases and future newsletter content. These media lists include contact information for higher education, EdTech, and education reporters from state and national publications across the United States. We will continue to refine these media lists throughout our engagement with NC-SARA.

Finally, SRG has helped NC-SARA establish a formal process for collecting media inquiries from interested reporters and has assisted the organization in responding to several requests for comment and insight in recent months. Our team has also facilitated the release of NC-SARA’s recent data report, offering an exclusive to *Inside Higher Ed* that resulted in meaningful coverage followed by the distribution of a press release to more than 180 national reporters. Throughout our engagement, SRG will continue to serve as NC-SARA’s communications arm and will work with NC-SARA to pitch future exclusives and identify media coverage opportunities.

**Establish a Social Media Presence**

As NC-SARA builds a stronger and more proactive communications program, establishing a social media presence where interested parties can quickly obtain updates on the organization’s work is essential. SRG proposes NC-SARA launch a Twitter account in summer 2020 to coincide with the completion of the rebranding project and the launch of the newsletters. SRG will work with NC-SARA to develop a regular content calendar, ensuring a consistent cadence of professional and informative posts.

**Timeline for Execution**

The timeline below provides an update on SRG’s communications partnership with NC-SARA, sharing priority activities and plans for execution in the first year of our engagement.

- **September/ October 2019**: Initial NC-SARA deep-dive, develop media lists (Complete)
- **November 2020**: Develop initial collateral documents (Complete)
- **December 2020**: Conduct D.C. reporter briefings, including *POLITICO, Inside Higher Ed, Chronicle of Higher Education*, and *Bloomberg* (Complete)
- **January 2020**: Prep for new data report release; develop complementary communications plan (Complete)
- **February 2020**: Release data report with exclusive to *Inside Higher Ed*; conduct in-person deep-dive planning session with NC-SARA team; begin initial website updates; finalize media inquiry procedural updates (Complete)
- **March 2020**: Launch rebranding project and finalize new logo design (Complete)
- **April 2020**: Continue rebranding project with development of complimentary collateral materials; continue website updates and creation of new “Consumer Protections” section
- **May 2020**: Board meeting – present update on rebranding project; complete rebranding project; complete website updates to incorporate new branding and visuals
- **June/ July 2020**: Launch NC-SARA Twitter account; distribute inaugural newsletters
- **August 2020**: Plan next round of reporter relationship development meetings; prep for ROI study release and develop communications plan
- **September 2020**: Release ROI study and secure media coverage; consider using ROI study as a hook for additional in-person briefings with leading higher education reporters

**Conclusion**
SRG looks forward to continuing to support and enhance NC-SARA’s public relations and communications efforts in 2020. Should you have any questions about the recommendations presented in this memo, please contact Alexandra Sollberger at alexandra.sollberger@stonesrivergroup.com.
NC-SARA AGENDA ITEM

May 5-6, 2020

Agenda Item VII: Modifications to the SARA Manual

Action Item: ☑ Yes  ☐ No

 Modifications to Align with Federal Regulations

a) (ACTION): Approve Section 2.5 (h.1) adjustment to align with Federal Regulations that were inadvertently left out of the SARA Manual

b) (ACTION): Approve Section 5.2 adjustment regarding programs leading to Professional Licensure to correlate to new Federal Regulations

 Modifications to Clarify Processes

c) (ACTION): Approve Section 2.5(c) clarification on the need for all states to have a process to review institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5

d) (ACTION): Approve Section 2.5(e) clarification of language regarding to which agency or body an institution may appeal a decision regarding participation in SARA

e) (ACTION): Approve Section 2.5(i)(7) clarification of SARA student complaint venue if attending an out-of-state branch campus

f) (ACTION): Approve Section 2.5(o) clarification of regulation of online/Distance Education activities by the Host State

g) (ACTION): Approve Section 2.5 (q), addition of this sentence. “States shall have a process for considering applications for provisional status”

h) (ACTION): Approve Section 4.4(d) modification of treatment of SARA student complaints from a branch campus.

i) (ACTION): Approve Section 5.3 clarification of policy regarding field trips and seasonal residential activity, with adjustment of language in Explanatory Note: SARA covers class field trips that do not involve multi-night residency.

j) (ACTION): Approve Section 5.7(a), to align with SARA Policy, add, “and section 2.5, subsections n and o”

k) (ACTION): Approve Section 6.1(b) and (c) modification to reflect data policy and remove process information

l) (ACTION): Approve Section 6.2 modification to reflect data policy and remove process information
Proposed Modifications to the *SARA Manual*

Twelve minor proposed modifications are described below. Two are modifications to align with Federal Regulations and the remaining eleven to better clarify processes.

**Recommendation:** Approve the proposed modifications.

**Modifications to Align with Federal Regulations**

**Background.** The *SARA Manual* is issued periodically by NC-SARA; the current version is Version 20.1, issued January 1, 2020. Successive versions incorporate policy changes made by the NC-SARA Board and clarifications provided by the staff of NC-SARA. The recommended modifications that follow will result in a new Version 20.2. Federal Regulations that were announced in 2019 will go into effect July 1, 2020.

The first two proposed modifications below do not indicate any changes to NC-SARA policy and practice; the proposed modifications are merely to align our language with federal language. Therefore, no alternatives were considered as the rationale is to ensure appropriate alignment of language with the new Federal Regulations language. See redlined modifications below.

a) *(ACTION)*: Approve Section 2.5 (h.1) adjustment to align with Federal Regulations that were inadvertently left out of the *SARA Manual*

Previously reference to (c) was included in Section 2.5(h) but this section should have also included (d). It now reads, “The state may request assistance from the institution’s accreditor as the accreditor applies its standards under §602.24(c) and (d).”

h. The state has clear and well-documented policies and practices for addressing catastrophic events as follows:
   1. The state may request assistance from the institution’s accreditor as the accreditor applies its standards under 34 CFR §602.24(c) and (d) of federal requirements for catastrophic events.

b) *(ACTION)*: Approve Section 5.2 adjustment regarding programs leading to Professional Licensure to correlate to new Federal Regulations

**Background.** Since its inception, NC-SARA has required that its participating institutions provide professional licensure disclosures regarding whether or not programs will meet licensure requirements in states in which they enroll students. Although professional licensure programs are outside the core function of NC-SARA as related to state authorization and reciprocity across states, NC-SARA and its founders found this requirement to be an important aspect of consumer protection. On July 1, 2020 when new Federal Regulations go into effect, NC-SARA’s participating institutions will confront a situation in which NC-SARA’s requirements regarding professional licensure disclosure will differ slightly from new Federal Regulations that also now require institutions to disclose whether programs will lead to licensure in each state in which they enroll students. This presents a confusing burden for institutions that would mean having to comply with similar, yet slightly different requirements.
Comparison of NC-SARA Current Requirements and New Federal Regulations.

SARA Manual Section 5.2 (Direct Disclosures)

1. Notification in writing directly to students (email suffices) is required when offering courses or programs potentially leading to professional licensure or related to professional licensure activities.
   a. Whether the course or program will meet the professional licensure requirements in the state where the student is located
   b. If the institution cannot make the determination, then may notify in writing and provide contact information for any applicable licensing boards

2. Applies to students, applicants and potential students who have contacted the institution about the course or program

Federal Requirements 34 CFR § 668.43 (General and Direct Disclosures)

1. Notifications to all students in programs leading to professional licensure, regardless of modality whether completion of the program will meet educational licensure requirements in a State for that occupation.
   a. Covers license or certification
   b. Designed to meet educational requirements or advertised as meeting such requirements

2. General Disclosures:
   a. To include all states
   b. Separate lists to include in which states the licensure/certification requirements will be met, not met, or not yet determined

3. Direct Disclosures:
   a. In writing (email will suffice)
   b. To prospective students when the curriculum does not meet the requirements for licensure or when the institution has not made a determination
   c. To currently enrolled students within 14 calendar days if a determination is made that the program does not meet requirements

4. Applies to prospective, and enrolled students Key differences:
   1. Federal language requires general disclosures that NC-SARA does not. Federal Regulations cover direct disclosures when an institution knows that the program will not meet licensing requirements and when it does not know. NC-SARA requires direct disclosures in all instances.
   2. NC-SARA requires institutions to provide contact information for professional licensing boards when the institution cannot determine whether their course or program will meet the licensing requirements.

Please note: NC-SARA also has additional consumer protection at Manual Section 4.3 (f).

Section 4.3: Examples of issues that may arise in regard to alleged fraudulent activity, violations of SARA policies or more general Complaints about improper activities include, but
are not limited to:

(f): Accuracy of information about whether course work meets any relevant Professional Licensing requirements or the requirements of specialized Accrediting Agencies;

Alternatives Considered and Rationales

1) Do Nothing Scenario – Not Recommended

To keep NC-SARA’s requirements regarding professional licensure disclosures constant and not revise them to align with the new Federal Regulations, which impact all academic institutions and not just online, will only cause confusion for its participating institutions.

2) Drop the NC-SARA professional licensure disclosures – Not Recommended

Although keeping a professional licensure disclosure requirement in effect means a duplicative obligation for participating institutions, and NC-SARA does rely on other agencies like the U.S. Department of Education for its measure of financial stability, in the case of the federal financial composite score for example, or accreditors for measures of academic quality, this alternative is not recommended. This is because NC-SARA’s six-year-old requirement of its institutions is considered a consumer protection measure and is applied equally to non-Title IV and Title IV participating institutions alike.

3) Align NC-SARA professional licensure disclosures with new Federal Regulations – Recommended

Staff recommends aligning NC-SARA professional licensure disclosures with the new federal requirements that go into effect July 1, 2020. The exception to this alignment is to require non-Title IV institutions to also comply as they do currently.

See red lined version of recommended modifications below.

5.2 Programs leading to Professional Licensure

SARA has no effect on State professional licensing requirements. Any Institution approved to participate in SARA that offers courses or programs designed to lead to Professional Licensure or certification or advertised as leading to Licensure must satisfy all federal requirements for disclosures regarding such Professional Licensure programs under 34 C.F.R. 668.43. For SARA purposes, these requirements will also apply to non-Title IV institutions. Any Institution operating under SARA policies that offers courses or programs potentially leading to Professional Licensure or related to post-licensure educational activities must keep all students, applicants and potential students who have contacted the Institution about the course or program informed as to whether successful completion of such offerings would actually meet state licensing or post-licensing requirements. For purposes of SARA, this must be done in one of two ways:

a. The Institution may determine whether the course or program meets the educational requirements for Professional Licensure in the State where the applicant or student is located and provide that information in writing to the applicant or student. If, after making all reasonable efforts, the Institution is unable to determine whether the program meets the educational requirements for Professional Licensure, or
b. After making all reasonable efforts to make such a determination, if unsuccessful, the Institution may notify the applicant or student in writing that the Institution cannot confirm whether the course or program meets educational requirements for Professional Licensure in the student’s or applicant’s State, provide the student or applicant with current contact information for any applicable licensing boards, and advise the student to determine whether the program meets requirements for Licensure in the State where the student is located.

EXPLANATORY NOTES

N1 - Institutions may not be aware that similar provisions exist in federal law, as follows:

Code of Federal Regulations (CFR) § 668.72 Nature of educational program. Misrepresentation concerning the nature of an eligible institution's educational program includes, but is not limited to, false, erroneous or misleading statements concerning—

(c) Whether successful completion of a course of instruction qualifies a student—

(2) To receive, to apply to take or to take the examination required to receive, a local, State or Federal license, or a nongovernmental certification required as a precondition for employment, or to perform certain functions in the States in which the educational program is offered, or to meet additional conditions that the institution knows or reasonably should know are generally needed to secure employment in a recognized occupation for which the program is represented to prepare students.

Note that the definition of "misrepresentation" does not require intent: “A misleading statement includes any statement that has the likelihood or tendency to deceive.” 34 CFR 668.71(c).

N2 - If a program operates under SARA from another State and the program is intended to enable a student to become licensed to practice a profession (e.g., nursing, teaching, psychology), does the State in which the student is located have to let the student apply for licensure?

No. SARA has no effect on State professional licensing requirements. The National Council for SARA and the four Regional Compacts that administer SARA have an expectation, set forth in the SARA Manual, that any Institution that offers courses or programs potentially leading to Professional Licensure must keep all students informed as to whether such offerings actually meet State licensing requirements in the State in which the student is located, or other States, if requested by the student.

N1 - If a program is purely online except for field placements such as clinicals, student teaching, practica, etc., do those placements fall under SARA or are they considered a "Physical Presence" that activates State law?

Almost all such field placements (with certain limitations, see Subsection 5.12 and 5.13) will fall under SARA, but many may also fall under the jurisdiction of State professional licensing boards. They generally do not constitute a Physical Presence for SARA purposes.

N2 - Does it matter whether the "parent" program for an interstate Supervised Field Experience or Out-of-State Learning Placement is traditional on-ground or offered by Distance Education?

No. SARA covers all such interstate Supervised Field Experiences and Out-of-State Learning Placements except as noted in these policies.

N3 - 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 or Out-of-State Learning Placements.

Yes. Supervised Field Experiences and Out-of-State Learning Placements are considered Distance Education for purposes of SARA. Because SARA treats Supervised Field Experiences and Out-of-State Learning Placements as Distance Education an Institution that meets SARA eligibility requirements and has any programs using such placements may participate in SARA even if it does not offer other kinds of Distance Education.

N4 - If the State entity responsible for Degree program authorization is also the State entity that determines, or helps determine, whether a program meets requirements for Professional Licensure, is there a conflict?

No. Although SARA policies replace the Degree authorization functions of such an entity for some purposes, it does not preclude that entity from performing other duties under State law, including determinations of whether a program meets requirements for State Licensure in professional fields.

**Modifications to Clarify Processes**

c) **(ACTION):** Approve Section 2.5(c) clarification on the need for all states to have a process to review institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5

**Background.** Although NC-SARA requires its member states to review institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5, some have said they have no such process and therefore do not consider whether the SARA participating institutions within their states should go on provisional status when their Federal Financial Responsibility Composite score scores go below 1.5.

**Alternatives Considered and Rationales.**

1) **Do Nothing Scenario – Not Recommended**

When NC-SARA member states choose to engage in inconsistent treatment of institutions that demonstrate financial fragility, this results in inconsistent practice and risk to NC-SARA for possible legal action.

2) **Add a new sentence to provide clarity about the need for states to have a process in place to consider institutions with a Federal Financial Responsibility Composite score between 1.0 and 1.5 - Recommended**

This modification will provide clarity about the required process and will result in consistent practice across states and lower risk.

See red lined version of recommended modification below.

a. For independent Institutions, the State accepts an institutional federal Financial Responsibility Composite Score of 1.5 as indicative of sufficient minimum financial stability to qualify for participation in SARA. The State may, at its discretion, accept a Composite Score between 1.0 and 1.5 as indicative of minimum financial stability to qualify for participation in SARA if the Institution, in the State’s opinion, has produced additional information demonstrating sufficient financial stability to justify the Institution’s participation in SARA. For Institutions with a Composite Score between 1.0 and 1.5, the State shall
consider additional information regarding financial stability provided by the institution. The State may, at its discretion, determine if there is sufficient evidence of financial stability to justify the institution’s participation in SARA. The State may shall not permit an Institution with a Composite Score below 1.0 to participate in SARA. For Institutions owned or controlled by another entity (i.e., a parent entity), the relevant Composite Score will be the Composite Score of the parent entity, in accord with current U.S. Department of Education (ED) practice. An Institution’s financial status must be evaluated using the most recent Composite Score provided in writing by the Department of Education, whether published online or provided in written form to the Institution by a responsible Department of Education official. SARA States are to monitor the U.S. Department of Education’s periodic publication of Composite Scores, review the scores assigned to the institutions they have approved to participate in SARA, determine whether those scores meet SARA requirements, and within 90 days of notification take appropriate action regarding the SARA participation of those institutions. Implementation date of January 1, 2021.

d) **(ACTION):** Approve Section 2.5(e) clarification of language regarding to which agency or body an institution may appeal a decision regarding participation in SARA

**Background.** In October 2019 a change to the SARA Manual was included that required all states to have an appeals process when institutions wanted to appeal a negative decision about participation. Paige Smith, State Portal Entity in the State of Wisconsin, recommended a clarification about how states may implement their appeals processes, since previously there had been confusion about the specific process whereby appeals might take place.

**Alternatives Considered and Rationales.**

1) **Do Nothing Scenario – Not Recommended**

When NC-SARA member states choose to engage in inconsistent treatment of institutions, this results in inconsistent practice and risk to NC-SARA for possible legal action.

2) **Add a new sentence to provide clarity about the need for states to have a process in place to consider appeals - Recommended**

This modification will provide clarity about the required process and will result in consistent practice across states and lower risk.

See red lined version of recommended modification below.

e. **By January 1, 2021 SARA Member States shall develop and implement a means to hear and internally resolve appeals from Institutions for which they deny initial participation or renewal of participation in SARA. During any such appeal the Institution’s status as a SARA participating (or non-participating) Institution remains unchanged. States must ensure that the agency designated with the responsibility for hearing appeals ensures consistent application of its process to all institutions.**

e) **(ACTION):** Approve Section 2.5(i)(7) clarification of SARA student complaint venue if attending an out-of-state branch campus

**Background.** NC-SARA staff and compact staff often receive questions about whether it is the Home state or Host state that holds responsibility for complaint resolution in case of a
Alternatives Considered and Rationales.

1) Do Nothing Scenario – Not Recommended

NC-SARA’s staff, compact staff, and state portal entities receive frequent questions regarding complaints against branch campuses and it is necessary to provide clarity that it is the responsibility of the Home state, where the institution’s main campus or office is located to receive and resolve such complaints.

2) Add a new sentence to provide clarity about complaints against branch campuses - Recommended

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

See red lined version of recommended modification below.

i. The State designates a State “Portal Entity” to coordinate SARA matters for the State and provide a principal point of contact for resolution of student Complaints and other issues arising at participating Institutions. The State Portal Entity need not have a governance role with any Institution and may work with entities that do have such a role. The State Portal Entity has the following duties

1. Serve as the point of contact for all other SARA member States and their agencies for questions about SARA within its State;
2. Serve as initial point of contact for Institutions within its State that have questions about SARA;
3. Determine whether an Institution in its State is eligible for participation in SARA;
4. Serve as the initial contact point for Complaints about any Institutions in the State that are operating under SARA and lead any investigations regarding whether an Institution is in compliance with SARA policies;
5. Serve as the final decision-maker on SARA-related Complaints lodged against the state’s SARA institutions; and
6. Collect and manage any in-state fees assessed on participating Institutions to financially support State oversight of SARA.
7. The Home State Portal Entity is responsible to determine the disposition of a complaint against a branch campus of any of its SARA participant institutions.

f) (ACTION): Approve Section 2.5(o) clarification of regulation of online/Distance Education activities by the Host State

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

2) Add a new sentence to provide clarity about the ability of a Host State to regulate distance activities within its state - Recommended

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

See red lined version of recommended modification below.

n. **Host SARA Member States** retain jurisdiction over the entirety of academic programs that are offered partly at a physical site in the State and partly by Distance Education delivered to the Host State by another campus of the same provider from a SARA member state. This is necessary to allow States to properly oversee complete programs, not just parts of programs.

o. If a separate campus that operates under the accreditation of a Main Campus establishes Physical Presence (under SARA provisions) in a SARA state, the Host State may regulate the online/Distance Education activities of the Institution, within its own boundaries, as well as activities of the separate campus. The separate campus is not considered a separate Institution for purposes of SARA.

**EXPLANATORY NOTE**

N1 – Does SARA completely replace state authorization?

No. Any Degree-granting Institution in the U.S. must be Authorized to issue Degrees by a government. This is typically a State, but it can also be Congress or an Indian tribe. SARA pertains to approval of Distance Education courses and programs offered across State lines by Institutions that already have Degree authorization in at least one State. What SARA does is centralize the authorization process for each SARA Institution’s Distance Education authorization in a single State called the Institution’s “Home State.” Institutions in a SARA State therefore only need their Home State’s authorization to offer Distance Education to any other SARA Member State, (with certain limitations, specified herein).

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

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

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

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

**g) (ACTION)**: Approve Section 2.5 (q), addition of this sentence. “States shall have a process for considering applications for provisional status.”

**Background.** In May 2018 a change to the SARA Manual was included that required all states to consider provisional status for institutions when warranted, which requires having a process in place to do so.
The SARA Manual requirements include many references to provisional status. At least one state has indicated that it has no such process for considering provisional status. This results in inconsistent practice and application of policy across states.

Alternatives Considered and Rationales.

a. Do Nothing Scenario – Not Recommended

When NC-SARA member states choose to engage in inconsistent treatment of institutions regarding provisional status, this results in inconsistent practice and risk to NC-SARA for possible legal action.

b. Add a new sentence to provide clarity about the need for states to have a process in place to consider provisional status of institutions - Recommended

This modification will provide clarity about the required process and will result in consistent practice across states and lower risk.

See red lined version of recommended modification below.

q. States shall have a process for considering applications for provisional status. A State, at its discretion, may approve an Institution to participate in SARA on Provisional Status (See Subsections 3.2 and 3.3 below).

h) **ACTION**: Approve Section 4.4(d) modification of treatment of SARA student complaints from a branch campus.

Background. The consideration of how NC-SARA treats branch campuses has been the topic of a great deal of discussion. One aspect of this discussion is the treatment of student complaints and whether such complaints should be considered and resolved at the Host or Home state.

Alternatives Considered and Rationales.

1) Do Nothing Scenario – Not Recommended

The resulting confusion and lack of consistent practice will persist if no modification is made to the SARA Manual.

2) Add a new section to provide clarity about the process for filing a complaint when a branch campus is involved - Recommended

This modification will provide clarity about the process, that a student may choose either the Home or Host state’s portal entity. Ultimately the state portal entity in the Home state is responsible, yet giving students the option to choose either state, will result in a fairer and more just process for students. It is important to note that the Host state’s portal entity is required to inform the Home state for consideration and resolution.

See red lined version of recommended modification below.

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

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

The State Portal Entity may delegate responsibility to investigate and resolve such Complaints to another government agency (e.g., a Board of Regents) or to a special body created to handle SARA Complaints for a group of Institutions but must have and retain the function of hearing any appeals from decisions made by other agencies. The Portal Entity cannot merely have advisory powers; it must have the formal authority to provide final resolution of SARA-related Complaints and ultimately to remove any Institution, public or independent, from the state’s list of SARA-eligible providers if that Institution fails to abide by SARA policies.

i)  (ACTION): Approve Section 5.3 clarification of policy regarding field trips and seasonal residential activity, with adjustment of language in Explanatory Note: SARA covers class field trips that do not involve multi-night residency.

**Background.** The definition of a field trip and whether they are covered by SARA or not has been a source of confusion and much discussion. Some institutions attempt to use the reciprocity agreement to avoid having to engage in the process of seeking state authorization in states that require it owing to physical presence laws.

**Alternatives Considered and Rationales.**

1) Do Nothing Scenario – Not Recommended

Not modifying the language in 5.3 7(a) will mean for continued confusion and extra work on the part of NC-SARA staff, compact staff, and state portal entities.

2) Modify the language in 5.7 regarding hybrid programs - Recommended

This modification is recommended to ensure institutions understand that residencies that require additional overnight stays may trigger physical presence and therefore are not covered under SARA. The additional language in this section, originally intended to provide more clarification, has only served to confuse and complicate matters for states and participating institutions. Instead of providing this additional information here, which has led to some institutions seeking loopholes, it is recommended that it be taken out altogether and replaced with a simple, clear solution such that multi-night residencies are not covered by SARA and may be subject to state authorization depending upon individual state regulations. The additional language that was here has created more confusion instead of helping and it was even somewhat contradictory. The intent is not to linger too long outside authorized states.

See red lined version of recommended modification below.

5.3 Field trips and seasonal residential activity

SARA covers class field trips that do not involve multi-night residency across State lines among member States but does not cover full-scale residency programs such as a summer session at a field station.

**EXPLANATORY NOTES**
N1 - SARA covers class field trips that do not involve multi-night residency. A field trip is an off-campus educational activity that does not involve multi-night residency at a specific educational site during the period of instruction. Educational activity at, for example, a specific archaeological site or museum, is not a field trip, even if residency is at a nearby motel or field station. Field instruction that takes place for all or a major part of a term qualifies as a field trip if the activity involves visiting multiple nonresidential sites. See also 5.10(a)(8).

j) **(ACTION)**: Approve Section 5.7(a), to align with SARA Policy, add, “and section 2.5, subsections n and o.”

**Background.** This modification provides additional clarification to ensure that 2.5 (n) and (o) are considered.

**Alternatives Considered and Rationales.**

1) **Do Nothing Scenario** – Not Recommended

Not modifying the language in 5.7(a) will result in policy that is not aligned with other sections of the *SARA Manual* that pertain to hybrid programs and the jurisdiction of Home and Host states.

2) **Modify the language in 5.7 regarding hybrid programs** - Recommended

This modification is recommended to align the sections of the *SARA Manual* that pertain to the jurisdiction of states whether Home or Host states. See Section 2.5, subsections n and o below for reference.

n. **Host** SARA Member States retain jurisdiction over the entirety of academic programs that are offered partly at a physical site in the State and partly by Distance Education delivered to the Host State by another campus of the same provider from a SARA member state. This is necessary to allow States to properly oversee complete programs, not just parts of programs.

o. If a separate campus that operates under the accreditation of a Main Campus establishes Physical Presence (under SARA provisions) in a SARA state, the Host State may regulate the online/Distance Education activities of the Institution, within its own boundaries, as well as activities of the separate campus. The separate campus is not considered a separate Institution for purposes of SARA.

See red lined version of recommended modification below.

**5.7 Hybrid Programs**

a. Some programs or courses involve some on-ground and some online activity. SARA covers those portions of such a program that take place via Distance Education across State lines by participating providers in SARA member States, subject to the limitation in subsection b, below and section 2.5, subsections n and o.

k) **(ACTION)**: Approve Section 6.1(b) and (c) modification to reflect data policy and remove process information.

**Background.** Processes for collection of data change over time with changes to technology. The *SARA Manual* should not reflect process, but rather policy, and therefore the recommended modifications to Sections 6.1 and 6.2 remove references to process.
Alternatives Considered and Rationales.

1) Do Nothing Scenario – Not Recommended

As the policy in the SARA Manual continues to include clarifications and modifications to align with Federal Regulations, the Manual is getting longer. The Data Reporting Handbook is the appropriate place to include process information about how to collect and report data on enrollments and out-of-state learning placements.

2) Modify the language in 5.7 regarding hybrid programs - Recommended

This modification is recommended to indicate policy only with process articulated in process instruction manuals including the Data Reporting Handbook.

See red lined version of recommended modification below.

6.1 Data submission by participating Institutions

a. Institutions participating in SARA shall annually report to NC-SARA the number of exclusively Distance Education students enrolled in the Institution engaged in Distance Education, disaggregated by State, territory, or district in which the students are located, including the Home state. This would include both Degree and non-degree for-credit courses. For details see annual issues of the Data Reporting Handbook provided by NC-SARA.

b. Institutions participating in SARA shall also annually report to NC-SARA the numbers of their students engaged in certain experiential learning placements (rotations, internships, student teaching, etc.), disaggregated by State and two-digit Classification of Instructional Programs (CIP) codes as assigned by the U.S. Department of Education. For details, see annual issues of the Data Reporting Handbook provided by NC-SARA. These data shall be reported annually to NC-SARA in the spring following the due date for institutions to make their previous fall enrollment reports to the federal government’s Integrated Postsecondary Education Data System (IPEDS). These data shall be reported annually to NC-SARA. The window of institutional reporting will be May 15-June 15 of each year. Beginning in spring, 2019, Institutions participating in SARA shall also annually report to NC-SARA the numbers of their students engaged in certain experiential learning placements (rotations, internships, student teaching, etc.), disaggregated by State and two-digit Classification of Instructional Programs (CIP) codes as assigned by the U.S. Department of Education. For details see annual issues of the Data Reporting Handbook provided by NC-SARA.

I) (ACTION): Approve Section 6.2 modification to reflect data policy and remove process information.

See Background, Alternatives Considered, and Rationales above. See red lined version of recommended modification below.

6.2 Data use by SARA

a. NC-SARA on its website will report enrollment data, by Institution, in a manner similar to the following format:
Recommendation: Approve the proposed modification.
NC-SARA AGENDA ITEM

May 5-6, 2020

Agenda Item VIII: Information items

Action Item: □ Yes ☐ No

a) Update on response to COVID-19

b) Enrollment and experiential learning placement reporting

c) Update on training for SPEs and institutions

d) Update on Salesforce and other system updates, changes to the website, student and institution support, searchable catalog of academic programs offered by SARA participating institutions, and the “The State Authorization Guide.”

e) Update on personnel changes and staff activities

Staff Meetings and Presentations
November 2019-April 2020

<table>
<thead>
<tr>
<th>DATE</th>
<th>EVENT</th>
</tr>
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<tbody>
<tr>
<td>Monthly</td>
<td>WICHE Cooperative for Educational Technologies State Authorization Network (WCET SAN) Open Forums</td>
</tr>
<tr>
<td>Monthly</td>
<td>WCET SAN Monthly Calls and Webinars</td>
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<tr>
<td>Twice Monthly</td>
<td>NC-SARA Director Calls</td>
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<tr>
<td>Monthly</td>
<td>NC-SARA Regional Compact Staff Calls</td>
</tr>
<tr>
<td>Oct. 29, 2019</td>
<td>NC-SARA Director Meeting</td>
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<tr>
<td>Oct. 29-30, 2019</td>
<td>NC-SARA Board Meeting</td>
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<tr>
<td>Nov. 4-6, 2019</td>
<td>WCET Annual Conference and SAN Meeting</td>
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<tr>
<td>Nov. 6-8, 2019</td>
<td>CAEL Conference</td>
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<tr>
<td>Nov. 11, 2019</td>
<td>Virginia Statewide SARA Meeting</td>
</tr>
<tr>
<td>Nov. 12, 2019</td>
<td>NC-SARA Webcast -Board Meeting Summary</td>
</tr>
<tr>
<td>Nov. 13, 2019</td>
<td>Credential Engine Meeting</td>
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<tr>
<td>Nov. 18-20, 2019</td>
<td>Salesforce Annual Conference</td>
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<tr>
<td>Nov. 18-19, 2019</td>
<td>NC-SARA Data Meeting</td>
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<tr>
<td>Nov. 20-21, 2019</td>
<td>Online Learning Consortium Conference</td>
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<tr>
<td>Dec. 4-6, 2019</td>
<td>Higher Education Government Relations Conference (AASCU)</td>
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<td>Dec. 5-7, 2019</td>
<td>Council of State Governments (CSG) National Conference</td>
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<td>Dec. 8-9, 2019</td>
<td>Strategic Planning Meeting in Indianapolis, Indiana</td>
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<td>Dec. 11, 2019</td>
<td>NEBHE Steering Committee Meeting</td>
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<td>Dec. 12-14, 2019</td>
<td>Utah Statewide SARA Meeting</td>
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<tr>
<td>Dec. 16-18, 2019</td>
<td>Meetings with Key Congressional Staffers and Media Contacts</td>
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<tr>
<td>Jan. 8-14, 2020</td>
<td>Meetings with Consumer Advocates and CSU and UC Leaders</td>
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<tr>
<td>Jan. 27-30, 2020</td>
<td>CHEA Conference</td>
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<tr>
<td>Jan. 30, 2020</td>
<td>Strategic Planning Meeting Washington D.C.</td>
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<tr>
<td>Feb. 2-5, 2020</td>
<td>NAICU Annual Meeting*</td>
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<tr>
<td>Feb. 4-6, 2020</td>
<td>UPCEA SOLA+R*</td>
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<tr>
<td>Feb. 11-12, 2020</td>
<td>NC-SARA Directors Meeting in Boulder, CO</td>
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<tr>
<td>Feb. 17-18, 2020</td>
<td>Minnesota Statewide SARA Meeting</td>
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<td>Feb. 19-20, 2020</td>
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<tr>
<td>Mar. 2-4, 2020</td>
<td>Strategic Planning Meeting at Denver Westin Airport</td>
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<td>Mar. 9-12, 2020</td>
<td>CCME*</td>
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<td>Mar. 11-12, 2020</td>
<td>Concur Fusion Virtual Summit</td>
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<td>Mar. 12-13, 2020</td>
<td>Rhode Island Statewide SARA Meeting*</td>
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<td>Mar. 14-16, 2020</td>
<td>ACE Annual Meeting*</td>
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<td>Mar. 17, 2020</td>
<td>President’s Forum*</td>
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<td>Mar. 18-20, 2020</td>
<td>UPCEA Annual Conference*</td>
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<tr>
<td>Mar. 20, 2020</td>
<td>HLC Student Right to Know Guide*</td>
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<td>Mar. 23-25, 2020</td>
<td>TxDLA*</td>
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<td>Mar. 25, 2020</td>
<td>SREB Regional SARA Committee Meeting re Board Proposals Virtual</td>
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<tr>
<td>Mar. 26-27, 2020</td>
<td>The University of Georgia System meeting*</td>
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<tr>
<td>April 2, 2020</td>
<td>NC-SARA Webcast- Data Reporting</td>
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<tr>
<td>April 6, 2020</td>
<td>Strategic Planning Meeting Virtual</td>
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<tr>
<td>April 8, 2020</td>
<td>Alaska Statewide SARA Meeting Virtual</td>
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<tr>
<td>April 15-16, 2020</td>
<td>WCET Policy Summit Virtual</td>
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<td>April 17-21, 2020</td>
<td>HLC Annual Conference*</td>
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<td>April 22-24, 2020</td>
<td>WSCUC Academic Resource Conference*</td>
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<td>April 26-29, 2020</td>
<td>NASAPS*</td>
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<tr>
<td>April 29-May 1, 2020</td>
<td>Salesforce Higher Ed Summit*</td>
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<tr>
<td>April 30, 2020</td>
<td>W-SARA Meeting Virtual</td>
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<tr>
<td>May 4, 2020</td>
<td>NC-SARA Director’s Meeting Pre-Board Meeting Virtual</td>
</tr>
<tr>
<td>May 5-6, 2020</td>
<td>NC-SARA Board Meeting Virtual</td>
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</table>

*The event was either canceled or postponed.*
NC-SARA AGENDA ITEMS

May 5-6, 2020

Agenda Item IX: Executive session

Action Item: ☑ Yes ☐ No

Agenda Item X: Questions, comments, reflections from Board members

Action Item: ☐ Yes ☑ No

Adjourn.
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# Appendix A - State Fees

## State Fees for In-state Institutions as of March 30, 2020

<table>
<thead>
<tr>
<th>State</th>
<th>State Fee Established</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students $4,000 for institutions with between 2,500 – 9,999 FTE students $6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Alaska</td>
<td>$0</td>
</tr>
<tr>
<td>Arizona</td>
<td>$2,500/year for institutions with fewer than 10,000 FTE student enrollments $6,000/year for institutions with between 10,000 – 39,999 FTE student enrollments $18,000/year for institutions with 40,000 or more FTE student enrollments</td>
</tr>
<tr>
<td>Arkansas</td>
<td>$0</td>
</tr>
<tr>
<td>Colorado</td>
<td>$0</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Based on most recent IPEDS FTE, are as follows: $3,000 for institutions with fewer than 2,500 FTE students $6,000 for institutions with between 2,500 – 9,999 FTE students $9,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Delaware</td>
<td>$0</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>$3,000 for institutions with fewer than 2,500 FTE students $6,000 for institutions with between 2,500 – 9,999 FTE students $9,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Florida</td>
<td>$1,500 for institutions with fewer than 2,500 students $3,000 for institutions with between 2,500 and 9,999 students $4,500 for institutions with 10,000 or more students</td>
</tr>
<tr>
<td>Georgia</td>
<td>$1,000 for institutions with fewer than 2,500 FTE students $1,500 for institutions with between 2,500 – 9,999 FTE students $2,000 for institutions with 10,000 or more FTE students</td>
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<tr>
<td>Hawai'i</td>
<td>$1,000 annually per institution application processed</td>
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<tr>
<td>Idaho</td>
<td>$1,500</td>
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<tr>
<td>Illinois</td>
<td>No fee for community colleges $1,750/year for all the other institutions</td>
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<tr>
<td>Indiana</td>
<td>$0</td>
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<tr>
<td>Iowa</td>
<td>$2,000/year for institutions with fewer than 2,500 FTE students $4,000/year for institutions with between 2,500-9,999 FTE students $6,000/year for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Kansas</td>
<td>$0</td>
</tr>
<tr>
<td>Kentucky</td>
<td>$3,000 for institutions with fewer than 2,500 FTE students $5,000 for institutions with between 2,500 – 9,999 FTE students $7,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Louisiana</td>
<td>$1,500</td>
</tr>
<tr>
<td>Maine</td>
<td>$0</td>
</tr>
<tr>
<td>Maryland</td>
<td>$2,000 for institutions with fewer than 2,500 FTE students $4,000 for institutions with between 2,500 – 9,999 FTE students $6,000 for institutions with 10,000 or more FTE students</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>$3,000 for institutions with fewer than 2,500 FTE students $6,000 for institutions with between 2,500 – 9,999 FTE students $9,000 for institutions with between 10,000 – 19,999 FTE students $12,000 for institutions with 20,000 or more FTE students</td>
</tr>
<tr>
<td>Michigan</td>
<td>$2,000 initial application fee, and then an addition $2,000 annual fee; thus, the first time a school applies, the total cost to a school will be $4,000, then $2,000/year after that.</td>
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<td>U.S. Virgin Islands</td>
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<td>State</td>
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</tr>
<tr>
<td>-------------</td>
<td>---------------------------------------------------------------------------------------</td>
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<td>Vermont</td>
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SARA does not mandate how states establish their in-state fee structures for SARA-related work. States may use any fee structure that is rationally related to the state's actual or projected workload.
Appendix B - SARA Charts and Figures

SARA Landscape as of April 2020

49 States plus Washington, D.C., Puerto Rico, and the U.S. Virgin Islands
Regional Compacts

For purposes of NC-SARA membership:
SD is affiliated with WICHE;
NJ and NY are affiliated with NEBHE;
DC, PA, PR and USVI are affiliated with SREB.
SARA Institutions by SECTOR - 2020

- Public: 51.50%
- Private Not For-Profit: 42.20%
- Private For-Profit: 6.20%
- Other: 0.10%

SARA Institutions by SIZE - 2020

- Fewer than 2,500 FTE: 49%
- 2,500 - 9,999 FTE: 35%
- Greater than 10,000 FTE: 15%
## State Actions Regarding SARA

### United States and Territories (regional compact)

<table>
<thead>
<tr>
<th>State/Circle</th>
<th>Legislation Introduced</th>
<th>Legislation Passed</th>
<th>Application to Regional Compact</th>
<th>Approved as SARA State</th>
<th>State Renewal Date</th>
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<td>05/13/2020</td>
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<td>06/12/2019</td>
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<td>05/13/2020</td>
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</tbody>
</table>

N/A: State has determined new legislation is not needed to enable participation in SARA.

North Dakota and South Dakota are members of both MHEC and WICHE; chart indicates SARA affiliation.
Appendix D – Process Documents

Provisional Status Processes

Provisional admission or renewal of an Institution

A SARA State Portal Entity (SPE), may consider the following reasons to place an institution on Provisional Status (SARA Manual Section 3.2):

1. The Institution is on provisional or probationary status or the equivalent with its institutional Accrediting Agency;
2. The Institution is currently required by the U.S. Department of Education to post a letter of credit or is under a cash management agreement with the U.S. Department of Education (Such institutions must also have a Federal Financial Responsibility Composite Score of 1.0 or above);
3. The Institution has a Federal Financial Responsibility Composite Score between 1.0 and 1.5;
4. The Institution is the subject of a publicly announced investigation by a government agency, and the investigation is related to the institution’s academic quality, financial stability or student consumer protection;
5. The Institution is the subject of a current investigation by its Home State related to the Institution’s academic quality, financial stability or student consumer protection;
6. A third-party action such as a private lawsuit or news story does not by itself establish a government investigation. Lawsuits by government entities are considered to have resulted from a governmental investigation and can be the basis of a determination of Provisional Status.
7. Lack of compliance with SARA policies related to data reporting.
8. The Institution has a change of ownership as determined by the Home State.

If the institution is placed on Provisional Status, the SARA State Portal Entity (SPE) shall notify their Regional Compact and NC-SARA of their admission or renewal of an Institution on Provisional Status. This notification is accomplished by completing the NC-SARA Institution Provisional Participation Form (AF3) Administrative Form.

NC-SARA will provide indication of the institution’s Provisional Status on the NC-SARA website.

An Institution admitted to or renewed for SARA participation on Provisional Status is subject to such additional oversight measures as the Home State considers necessary for purposes of ensuring SARA requirements are met regarding program quality, financial stability and consumer protection including limits on its distance learning enrollments if deemed necessary and appropriate by the Home State. The Home State SARA Portal Entity shall report to its regional SARA steering committee and NC-SARA at least once a year on the status of any Institution(s) admitted or renewed on Provisional Status.
Branch Campus Processes

“Branch Campus” means: a campus or site of an educational institution that is not temporary, is located in a community beyond a reasonable commuting distance from its parent institution, and offers full programs of study, not just courses. (Integrated Postsecondary Education Data System (IPEDS)). For SARA purposes, a Branch Campus that operates under the accreditation of a Main Campus is not considered a separate Institution for purposes of SARA (SARA Manual section 3.1(h)(2)).

This process document provides important clarification regarding recognition of the Home State as the entity authorized to make a determination about inclusion of an additional campus as a branch. It also provides a simplified framework for making a branch campus determination.

Branch Campus Determination:

1. Does the Home State recognize it as a branch for SARA purposes?
2. Does the accreditor recognize it as a branch?

If yes to both, it is a branch campus for the purposes of SARA. If it is not considered a branch by both the Institution’s Home State and its accreditor, it is not a branch for SARA purposes.

Note: For those states that do not officially recognize branch campuses outside their state, Manual Section 2.5. requires such recognition for SARA purposes.

Branch Campus & Student Complaints

The complaint process for students enrolled in a branch campus is as follows:
A student enrolled in a branch campus may complain to the SARA State Portal Entity where the branch campus is located or to the institution’s Home State Portal Entity. The SARA State Portal Entity receiving the complaint shall inform the institution’s Home State Portal Entity and other affected SARA State Portal Entities of the complaint.

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

NC-SARA has revised its branch campus complaint process to make it easier for students taking a course or a program at a branch campus to voice complaints to the campus of their choice, either to the Home State Portal Entity or the State Portal Entity in the branch campus state. This will give the student an additional option, help avoid confusion when she may be enrolled at the branch campus and not the home campus, while still ensuring that the final determination is made by the Home State SARA State Portal Entity.
Student Complaint Processes

SARA State Portal Entity Responsibility
SARA consumer protection provisions require the Home State through its SARA Portal Entity, to investigate and resolve allegations of dishonest or fraudulent activity by the state’s SARA-participating institutions, including the provision of false or misleading information. (SARA Manual Section 4.2)

The SARA State Portal Entity is responsible for conducting the investigation and resolution of Complaints that are not resolved at the institutional level. The SARA State Portal Entity may enlist the assistance of other responsible entities in the State in carrying out the work of Complaint resolution. (SARA Manual Section 4.4)

SARA Institution Responsibility
Institutions operating under SARA policies shall provide their and SARA’s Complaint resolution policies and procedures to all students taking courses under SARA policies. (SARA Manual Section 4.4)

Initial responsibility for the investigation and resolution of Complaints resides with the Institution against which the Complaint is made. Further consideration and resolution, if necessary, is the responsibility of the SARA State Portal Entity and other responsible agencies of the Institution’s Home State. (Section 4.4) Additional information can be found in the following SARA Manual sections: Complaint Resolution Processes and Section 2.5).

Branch Campus Complaints:

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

NC-SARA has revised its branch campus complaint process to make it easier for students taking a course or a program at a branch campus to voice complaints to the campus of their choice, either to the Home State Portal Entity or the State Portal Entity in the branch campus state. This will give the student an additional option, help avoid confusion when she may be enrolled at the branch campus and not the home campus, while still ensuring that the final determination is made by the Home State SARA State Portal Entity. (See diagram below.)
SARA Student Complaint Process

Student files Complaint with the Institution

Complaint NOT resolved at Institutional level

Student may appeal to the Institution’s SARA State Portal Entity as noted on the NC-SARA website

Student appeals to SARA State Portal Entity (Institution Home State)

Branch State SARA State Portal Entity notifies the Home State SARA State Portal Entity

Institution Home SARA State Portal Entity notifies the SARA State Portal Entity of the student’s location

SARA Home State Portal Entity makes final determination of SARA Complaint(s)

Quarterly, Institution Home State Portal Entities report status of Complaint(s) to NC-SARA

Complaint resolved at the Institutional level

Process ends; no notification to SARA State Portal Entity

National Council for State Authorization Reciprocity Agreements
A voluntary, regional approach to state oversight of distance education

*Student complaints about grades or student conduct may not be appealed to the SARA State Portal Entity. Complaints about fraud or criminal activity should be reported to your state Attorney General or the Office of Inspector General or complaint unit of the Dept of Education.

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