

Institutional Pain Points & Federal Update

November 7, 2025
Alabama 2025 SARA Workshop
Faulkner University
Montgomery, Alabama

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Objectives



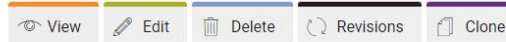
- Introduction
- Pain Points:
 - Understanding State vs. Federal Compliance
 - General Understanding of SARA
 - Professional Licensure Issues
- Federal Update
- Questions



Who we are

Since 2011, the State Authorization Network (SAN) has empowered its members to successfully resolve postsecondary regulatory compliance challenges.

We provide expert analysis, resources and training to prepare for emerging issues, collaborate on compliance strategies, develop solutions and evaluate their efficacy.



The State Authorization Network

The leader for guidance and support for navigating state and federal regulatory compliance for out-of-state activities of postsecondary institutions.



SAN members, log in for exclusive content.

[Login to Member Portal >](#)

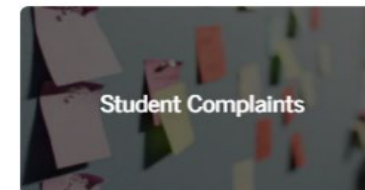
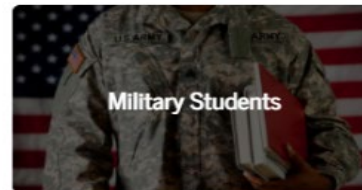
Learn more about SAN!

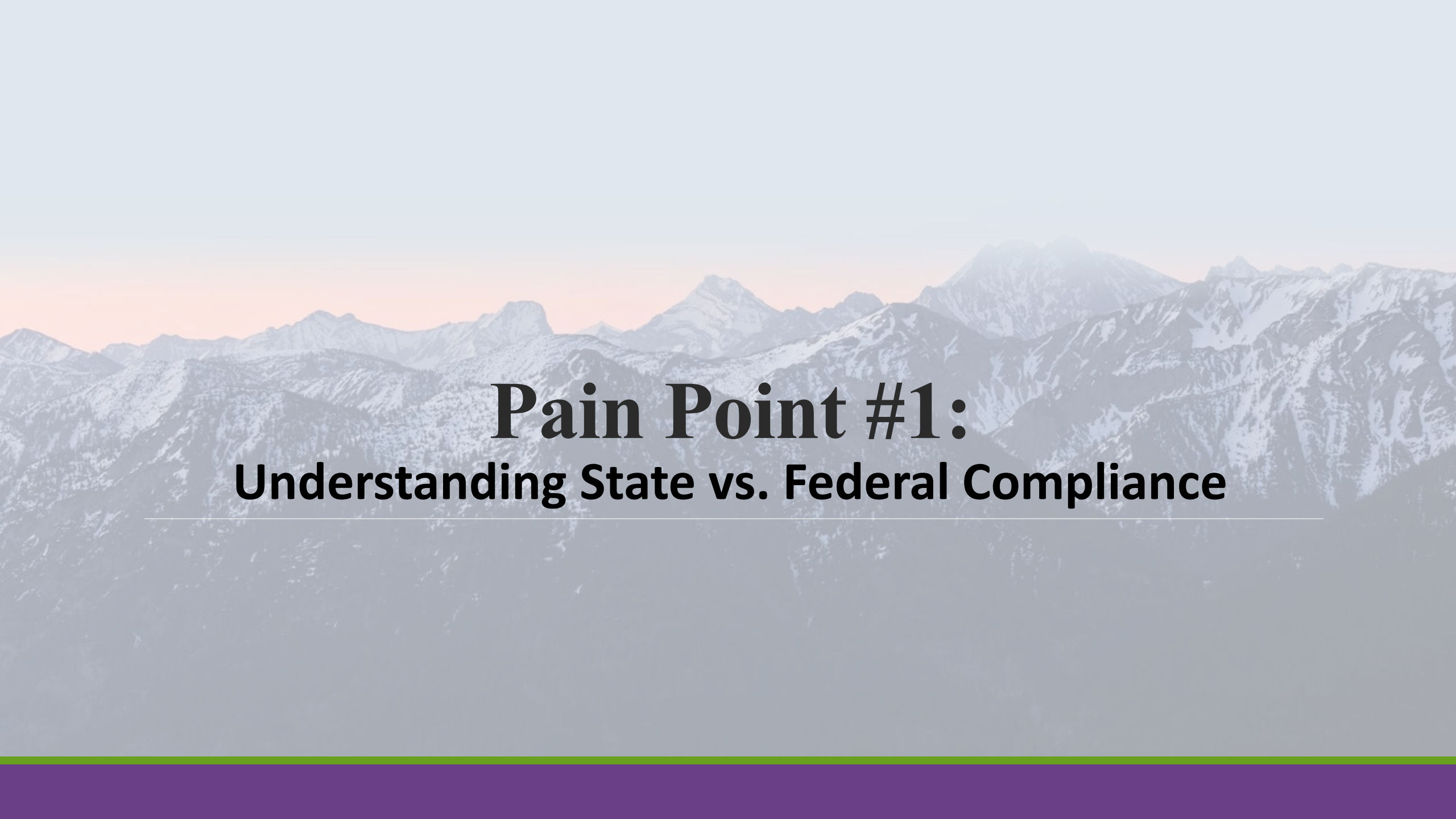
[The State Authorization Network \(SAN\) - Meeting an Important Need >](#)

Not a member?

[Join SAN Membership >](#)

Topic Areas





Pain Point #1:

Understanding State vs. Federal Compliance

Whose Rules?

State

State Agencies with Oversight

- Higher Education Agency
- Licensing Boards
- Secretary of State
- Department of Taxation
- Department of Labor
- +more

Federal

Federal Agencies with Oversight

- Department of Education
- Department of Justice
- Department of Veterans Affairs
- Department of Defense
- Department of Labor
- + more

State Authorization Related Examples

State



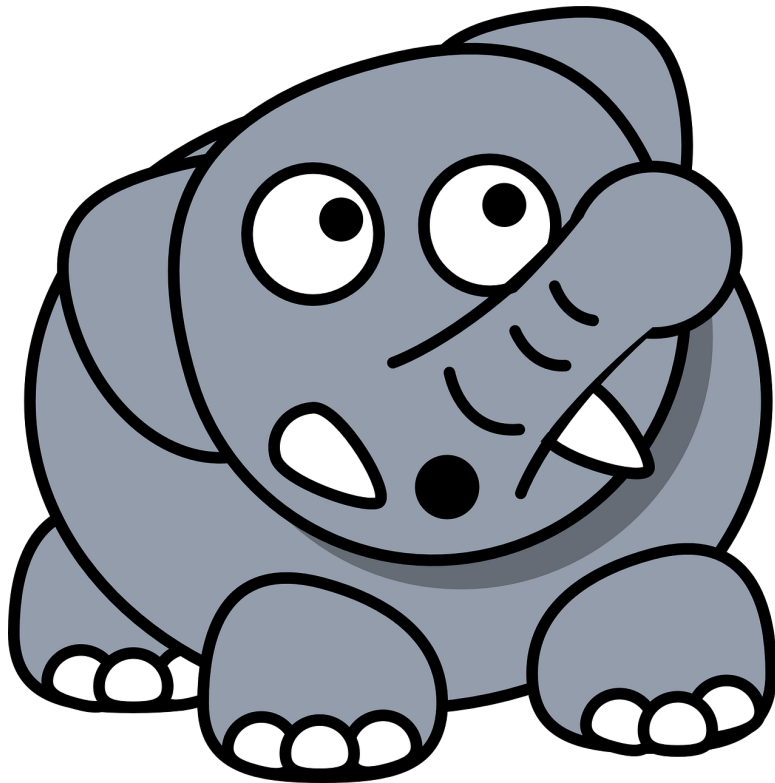
- **State Institutional Approval**
 - Interstate Distance Education
 - Individual State to State
 - Reciprocity (SARA)
- **State Program Approval**
 - Interstate Prof. Licensure Programs

Federal



- **Department of Education – Title IV**
 - State Institutional Approval + Location
 - Prof. Licensure Programs
 - “Satisfy” State Educational Requirements (PPA Certification)
 - Disclosures

Elephant in the Room



What about the U.S. Department of Education?

The Title IV related regulations remain in place until there is an official action that takes place to vacate or amend the regulations typically through:

- New Rulemaking
- Congressional Action
- Judicial Action

Activities Occurring Around the World



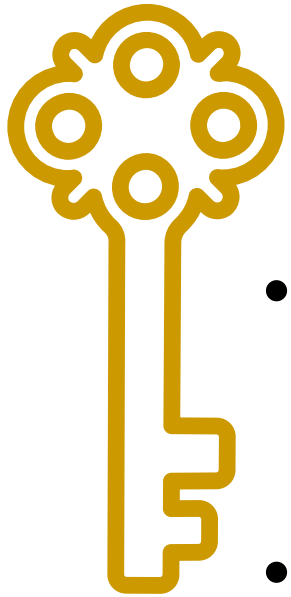
Institution Considerations

- Institutional Approval
- Recognition of Degrees
- Data Privacy
- Web Accessibility
- Export Controls
- Tax Implications (VAT & Digital Sales Tax)
- Employment Related issues
- Professional Licensure Requirements



Pain Point #2: General Understanding of SARA

Key Points of Confusion from Institutions



- Thinking they are **Members of NC-SARA.**
 - Conflation of NC-SARA and SARA.
 - Understanding SARA is an option to achieve state institutional approval.
- Thinking SARA created Professional Licensure requirements.
- Thinking that activities outside of SARA Policy are forbidden rather than understanding that state approval can be considered.

Access to SARA Specific Information



- Looking for state specific SARA requirements.
 - Some state websites are clearer than others.
 - State Portal Entity (SPE) Contacts on NC-SARA website indicates **State SARA Website** - not all link to SARA information.

Access to State Specific Information

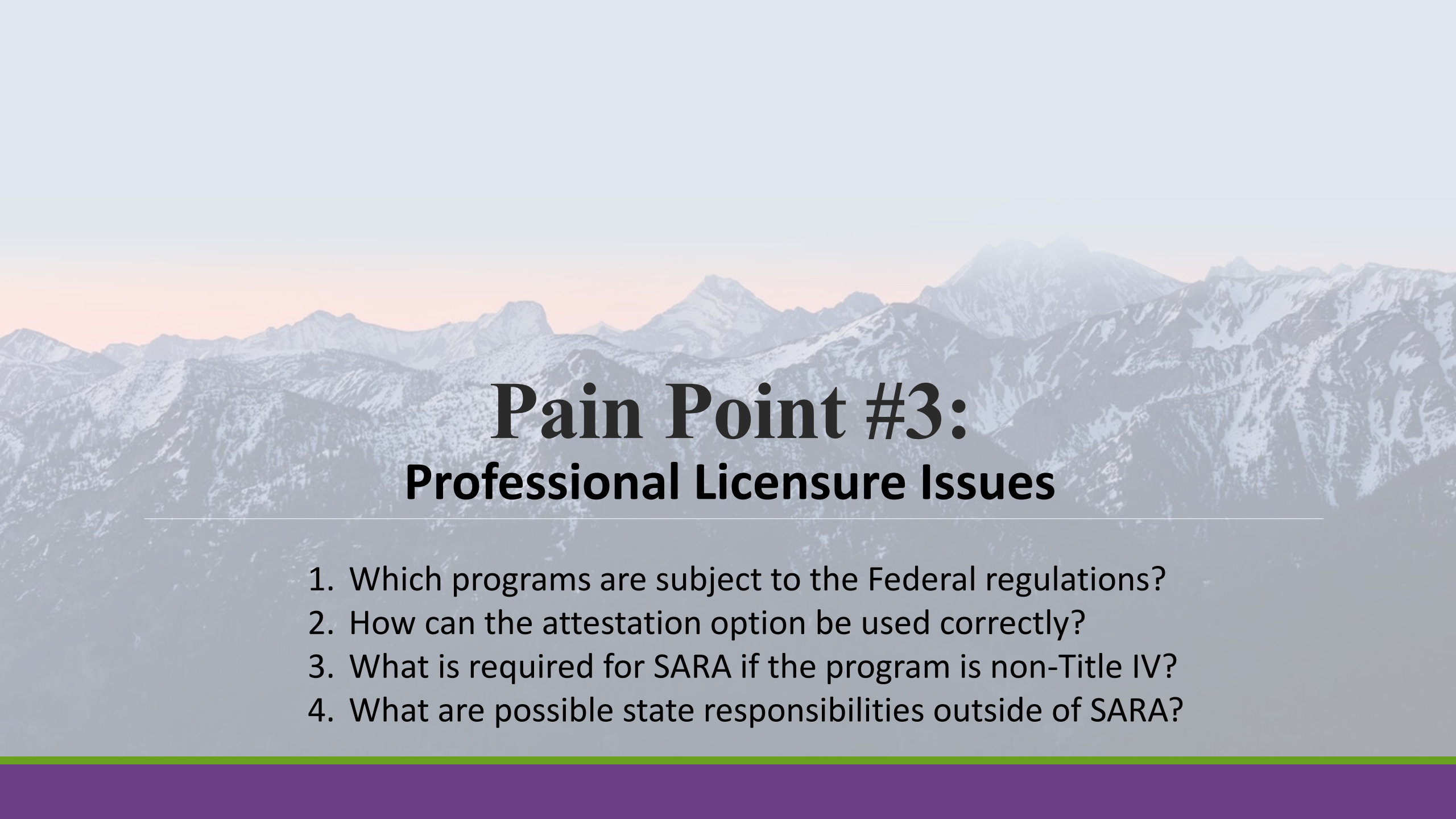
Looking for state specific information to offer activities outside of SARA policy.

- Seeking consistency of information and active links on the state surveys for [The Guide](#).
- Looking for information on state websites for approval.

Who is looking?

- SARA institutions who also seek specific state approval.
- The institutions who more recently did not renew SARA participation.
- Institutions in a state that is not a member to the agreement.





Pain Point #3: Professional Licensure Issues

1. Which programs are subject to the Federal regulations?
2. How can the attestation option be used correctly?
3. What is required for SARA if the program is non-Title IV?
4. What are possible state responsibilities outside of SARA?

Which programs are subject to the Federal regulations?



Applicable Educational Programs:

- Regulations address **all modalities** (includes Face to Face and Online)
- Designed or Advertised
- To meet educational requirements
- Leading to a license
- Required for employment in the occupation.

34 CFR 668.43(a)(5)(v)

Attestations:

Certification Regulation Language Reminder

For the program to be eligible for Title IV – the institution must satisfy state educational requirements

- Where the institution is located.
- Where the student enrolled in distance education
 - On or after July 1, 2024.
 - Is located at the initial time of enrollment.

OR

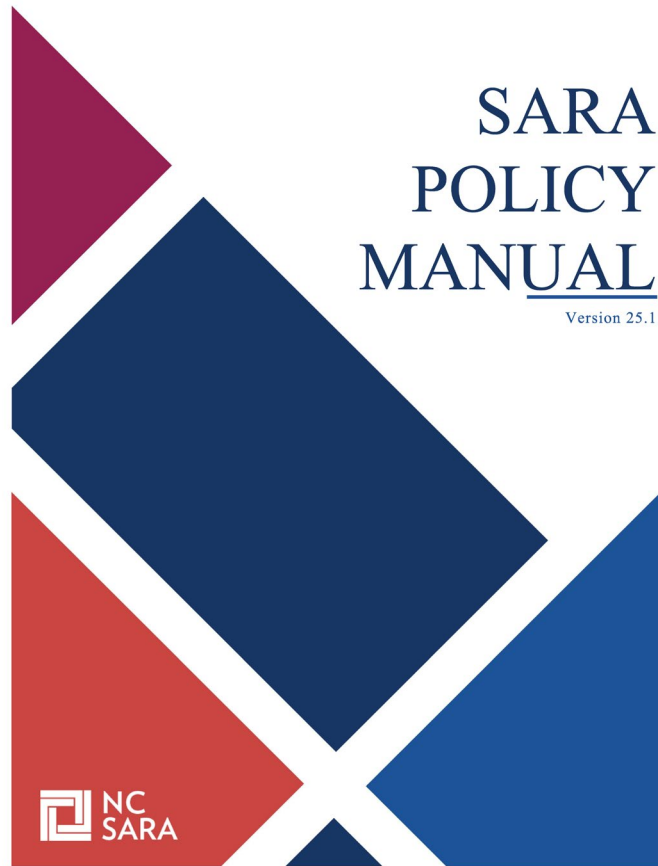
- **Where the student attests that they intend to seek employment**



How can the attestation option be used correctly?

- Student may be served even if the institution cannot satisfy state educational requirements where the student is located.
- **IF** the student attests that intention to seek employment in another state;
- The institution can satisfy state educational requirements in that state.
- Need more than the mere presence of the attestation document alone.
- No new attestation required if the student moves or changes their mind about future employment location.

What is required for SARA if the program is non-Title IV?



5.2 Programs leading to professional licensure

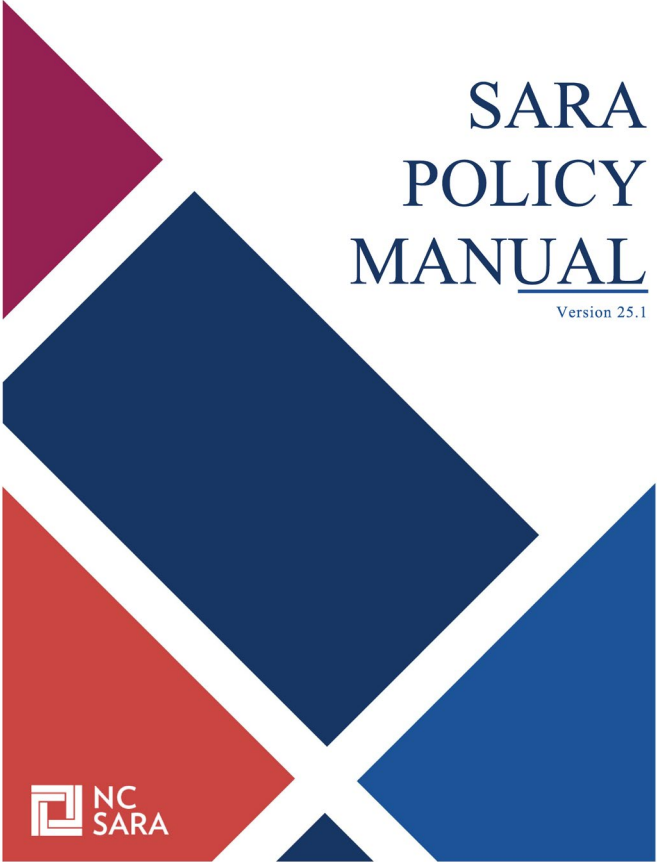
Any institution approved to participate in SARA that offers courses or programs designed to lead to professional licensure or certification or advertised as leading to licensure **must satisfy all federal requirements for disclosures** regarding such professional licensure programs.

For SARA purposes, these requirements will also apply to **non-Title IV** institutions **and programs**.

Institutions Asking How to Apply the Policy

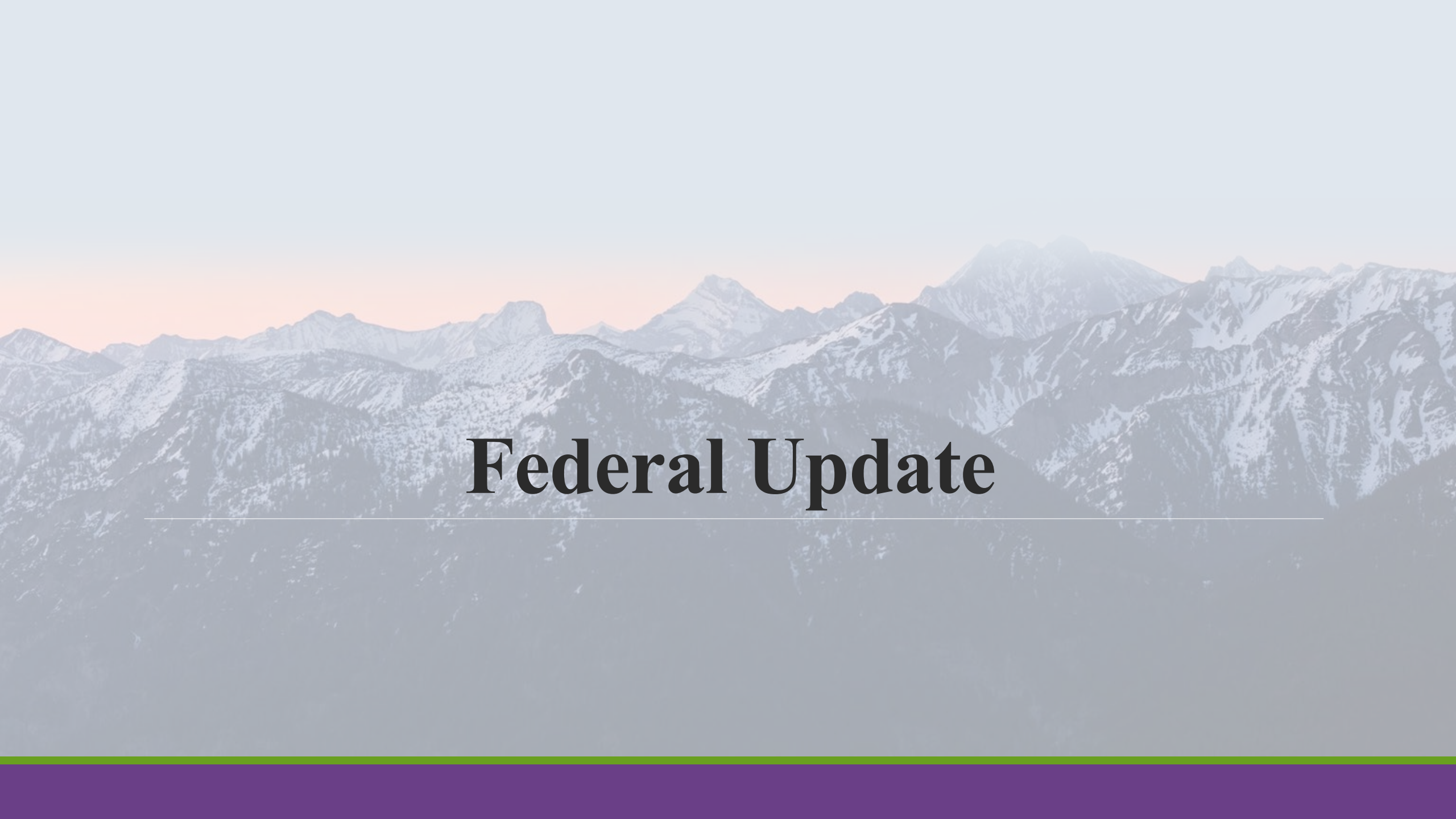
Applicability:

- Programs leading to a license or certification.
- Could be non-credit programs.
- Could be for-credit programs the institution chose not to be approved for Title IV Aid.
- Only pertains to programs that are offered interstate obtaining approval through reciprocity.



What are possible state responsibilities outside of SARA?

- State Program Approval Possibilities (states & professions vary)
 - The actual program must be reviewed by the state.
 - The program must be registered in the state.
 - The clinical placement must be registered in the state.
 - The faculty member must be licensed to teach the student where the student is located.



Federal Update



U.S. Department of Education Negotiated Rulemaking

RISE Committee

Reimagining and Improving
Student Education (RISE).

AHEAD Committee

Accountability in Higher
Education and Access through
Demand-driven Workforce Pell

RISE Committee

Rulemaking Sessions Meet:
Sept 29 - Oct 3, 2025, and Nov 3-7, 2025

- Purpose: Addressing changes to the Federal student loan programs
- Issue of Note
 - Definition of a professional program versus a graduate program for purposes of loan limits
- Negotiated Rulemaking Underway: Week One Review of the RISE Committee; WCET Frontiers; October 30, 2025.





Rulemaking Sessions Meet:
December 8 - 12, 2025
January 5-9, 2026

AHEAD Committee

- Purpose: Addressing changes to institutional programmatic accountability, the Pell Grant Program, and other changes to the Title IV, HEA programs.
- Issues of Note
 - Workforce Pell
 - Programmatic Accountability



Future ED Rulemaking Plan

OMB/OIRA Agency Rule List

- Accreditation Issues
 - Clarify institutional flexibility for accreditor change.
 - Remove barriers to approve new accreditors.
- Title IV Eligibility Issues
 - Remove barriers targeting faith based and for-profits' business changes.
 - Cash Management
 - Administrative Capability
 - Financial Responsibility





Plus!

Department of Justice Web Accessibility Regulations



Purpose: Implement Title II Americans with Disabilities Act (ADA)

Who: State & Local Government Entities (public higher education institutions, libraries, recreation centers etc.)

What – International Web Content Accessibility Guidelines (WCAG) 2.1 AA

When – Compliance begins April 2026

NEW SAN & WCET Resource: [WCET and SAN Policy Tracker](#)

SAN Website:

- SAN Getting Started with Compliance Management Gateway: <https://wcetsan.wiche.edu/resources/getting-started>
- SAN Federal Regulations Landing Page: <https://wcetsan.wiche.edu/resources/federal-regulations>
- SAN Compliance Requirement (Non-SARA) Landing Page - <https://wcetsan.wiche.edu/resources/compliance-requirements-non-sara>
- SAN Professional Licensure Landing Page: <https://wcetsan.wiche.edu/resources/professional-licensure>
- SAN Reports
 - [The Evolution of Compliance for State Authorization of Distance Education](#) (2023)
 - [Professional Licensure Handbook 2nd edition](#) (2024)
 - [State to State Institutional Approval for Distance Education Handbook](#) (2025)



Thank you!

Contact Us!

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