

Webcast: Final Federal Regulations – State Authorization December 10, 2019 Questions and Answers

I was informed, in another SARA webinar, that individual state refunds were no longer in place for SARA-participating institutions. Should institutions follow individual state refund requirements after all?

[SARA participating institutions will follow the refund policy of the home state.](#)

How would we know whether our institution has chosen to begin reporting on the 2019 rules?

[Please speak with your compliance team and general counsel.](#)

For further into the discussion, are there currently any states that require institutions to file to practice in the state e.g. business licenses, etc.? A permit to do business in the state?

Anything like that?

[Some states will require you to file with the Secretary of State to do business in their state. This is independent of SARA.](#)

What is the definition of a "Prospective Student"?

[Prospective student means an individual who has contacted an eligible institution requesting information concerning admission to that institution 34 CFR 668.41 \(a\)](#)

Are the 2016 Disclosure requirements satisfied if you are a SARA member? Isn't that part of the initial SARA application?

[SARA requirements, while similar, are different than the federal requirements. Please review the slide deck from our December 10, 2019 webinar that we will post at NC-SARA.org](#)

For clarification, the individual disclosures only apply to distance learning programs, not all programs, correct?

[The new \(2019\) federal requirement that is effective July 1, 2020 is for all modalities. SARA requires the disclosures for any distance learning programs including placements that may be part of a program leading to professional licensure outside your home state.](#)

Does this mean if an institution does not have students out of their state the disclosure of licensure information is not necessary?

[The federal professional licensure disclosures are required for campus-based programs and distance learning programs.](#)

Could you provide an example of a "post-licensing requirement?"

[Advanced practice nursing programs such as nurse practitioner. The student already has an initial license, but is seeking an additional license.](#)

Does SARA require Professional Licensure disclosures for states where student resides or where the student is located?

[Where the student is located. There is a typo in Manual version 19.2 in Section 5.2 that will be corrected in the updated manual \(January 2020\).](#)

For both 2016 and 2019 regulations, where do the public disclosures have to be made - catalog alone, website alone, or all marketing materials

Please reference the slides and related rules for direction. For SARA purposes, direct (email will suffice) disclosures must be made.

If a school just received NC-SARA acceptance, then does that automatically set the 2019 change or will a school still need to take action to implement early?

Please remember that the 2019 rules are for federal purposes (Title IV) and are separate from SARA requirements.

So, after NC-SARA are the states even populating those offices where states answer education questions re distance education?

Yes, state higher education agencies still exist! There are many institutions that do not participate in SARA. Also, the agency ensures home state approvals for SARA participating institutions.

Do disclosure requirements apply to JD degrees, considering that they are a prerequisite for a bar exam but do not necessarily lead to a professional license?

Yes. This is a degree where the student should be able to practice law. Most students intend to get a license.

Is there a definition for distance education?

Yes. Please see definition at 34 CFR 600.2