

Out of State Authorization, 7.03
Chapter 7: General Administrative

Responsible Office: Institutional Effectiveness Planning
Applies to: Employee and Students
Approved: 05/17/2022

Policy: Rhodes State College must maintain authorization to deliver online/distance education courses and comply with applicable state approval and/or licensures in the state of student residence. The following is an excerpt of the regulation:

“If an institution is offering postsecondary education through distance or correspondence education to students in a State in which it is not physically located, the institution must meet any State requirements for it to be legally offering postsecondary distance or correspondence education in that State. We are further providing that an institution must be able to document upon request by the Department that it has the applicable State approval.” (Oct. 29, 2010 Amendments to the Higher Education Act, Program Integrity Issues, State Authorization, §600.9; <http://edocket.access.gpo.gov/2010/pdf/2010-26531.pdf>.)

Rhodes will ensure compliance with the federal regulations and State Authorization Reciprocity Agreement (SARA) requirements.

Guidelines:**I. Definitions:**

- a. **Physical Presence:** A measure by which a state defines the status of an educational institution’s presence within the state (refer to SARA Policies and Standards, Section 5).
- b. **State Authorization Reciprocity Agreement (SARA):** An agreement among member states, districts and territories that establishes comparable national standards for interstate offering of postsecondary distance education courses and programs. The members of SARA are states, not institutions or students. Therefore a state “joins” or becomes a “member” of SARA while a college or university “operates under” or “participates in” SARA. States join SARA through their respective regional compact.
- c. **Triggers:** Activities that, considered alone, create a physical presence in a state and require the institution to obtain approval or authorization to operate.

II. Policy Details:

- a. Upon admission to the College and when a subsequent address change is requested, all students will meet the out-of-state residency requirements.
- b. Upon initial hire and when change of address is requested during employment, all employees of Rhodes will meet the out-of-state residency requirements.
- c. All off-campus learning experiences across state lines will meet the out-of-state residency requirements to offer out-of-state coursework.

- d. Triggers for physical presence (i.e. marketing activities occurring outside the state of Ohio) will be monitored to ensure compliance with state’s rules and regulations.

Related Policies and Procedures:

[Out of State Authorization Procedure 7.03\(a\)](#)

Compliance References:

Code of Federal Regulations Amendments to the Higher Education Act, Program Integrity Issues, State Authorization, §600.9; <http://edocket.access.gpo.gov/2010/pdf/2010-26531.pdf>.

HLC Policy FDCR.A.10.090 - Standing with State and Other Accreditation Agencies; Related Commission Requirements: Assumed Practice A.7, C.4.

Higher Learning Commission Federal Compliance Packet <http://ncahlc.org/Policies/federal-compliance-program.html>

Higher Learning Commission Assumed Practices <https://www.hlcommission.org/Policies/assumed-practices.html>

[NC-SARA Policy and Standards http://nc-sara.org/](http://nc-sara.org/)

SHEEO <http://www.sheeo.org/projects/state-authorization-postsecondary-education>

History:

	Date:	Reason:
Issued:	05/17/2022	Replaces Out of State Authorization Policy BOT approved 2/21/17
Revised:	MM/DD/YY	

This policy and / or procedure provides operating principles for Human Resources issues at Rhodes State College. It supersedes any prior policy covering specific subject. This policy and / or procedure may be suspended, modified or cancelled as determined by the College. This policy and / or procedure does not create a contract of employment, nor is it a condition of employment between the College and its employees.