

**U.S. Department of Education**  
**Policy and Regulations Affecting Online Education**  
**Rules Released November 1**

**State Authorization**  
**Regulations summarized**

- 1. 34 CFR 600.9(c) – Aid for distance courses tied to authorization in that state –**
  - If serving students in other states, must demonstrate that state’s approval either through individual state approval or a reciprocity agreement.
  - Approvals tied to student’s “location” instead of where “resides.”
- 2. 34 CFR 600.2 – Reciprocity agreement definition –**
  - An agreement between two or more states that authorizes an institution in a state covered by the agreement to provide education through distance education in other States covered by the agreement.
- 3. 34 CFR 668.43(a)(5)(v) and 34 CFR 668.43(c) – Notifications for programs (both at a distance and face-to-face) leading to professional licensure or certification in a state –**
  - General notification of states where meet, do not meet, or have not determined if program curriculum meets educational requirements to be licensed.
  - Direct notifications “prior to enrollment” for students located in state where do not meet or have not determined if meet requirements. For enrolled students, within 14 days of the institution making the determination that the program curriculum does not meet State educational requirements.

**Additional Information and Resources**

- WCET/SAN Website: <https://www.wcetSAN.wiche.edu>
- NC-SARA Website: <https://www.nc-sara.org>
- SARA Manual Section 5.2 (p.36) [https://nc-sara.org/sites/default/files/files/2019-07/NC-SARA\\_Manual19-2.pdf](https://nc-sara.org/sites/default/files/files/2019-07/NC-SARA_Manual19-2.pdf)
- State authorization & accrediting regulations in the **Federal Register** - <https://bit.ly/2qXRI8g>  
34 CFR 600.2 – p. 58914 far right column.  
34 CFR 600.9(c) – p. 58915 starts at the bottom of the middle column.  
34 CFR 668.43(a)(5)(v) - p. 58932 starts midway on middle column to top of far right column.  
34 CFR 668.43(c) – p.58933 -starts last full paragraph of far left column.
- WCET *Frontiers* on the state authorization regulations:  
<https://wcetfrontiers.org/2019/11/04/final-fed-regs-for-state-auth-released/>
- WCET *Frontiers* on early implementation of state authorization regulations:  
<https://wcetfrontiers.org/2019/12/11/early-implementation-of-state-authorization-federal-regs/>
- NC-SARA Webcast: Final Federal Regulations – State Authorization  
<https://nc-sara.org/resources/final-federal-regulations-state-authorization>



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