

SARA in Ohio

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Background

The State Authorization Reciprocity Agreement (SARA) establishes comparable national standards for interstate offering of postsecondary distance education courses and programs among member states, districts and territories.



JCARR Approval

- The Joint Committee on Agency Rule Reviews examines proposed new, amended and rescinded rules from state agencies
- Public hearing for rule 3333-1-13.1 is scheduled for July 9th
- OBR will attend subsequent JCARR meeting (usually 1-2 weeks after the public hearing)
- August 7th, **earliest** date rule can be finalized

State Fee Schedule (Proposed Rule 3333-1-13.1)

Full-Time Equivalent Enrollment (Based on latest reported IPEDS numbers)	Fee Amount (Per year)
1-2,499	\$2,000
2,500-9,999	\$4,000
10,000 and up	\$6,000

Questions

1. When will the OBR determine the fee schedule?
2. When will OBR accept applications for SARA?

Upon JCARR approval of Proposed Rule 3333-1-13.1

Questions

3. From the time that an institution submits their SARA application to the OBR, what is the estimated time until the institution receives a confirmation of acceptance?

- An IHE cannot participate in SARA until it submits national fees to WICHE
- OBR's review depends largely on the number of applications received at one time, the quality of the application information and the submission of (proposed) state fees

Questions

4. What will the process be for reviewing and accepting provisional applications? What will the oversight be like in terms of getting off of the provisional status?

- Provisional status may be granted for up to one year.
- Provisional status would be issued if the Chancellor's staff determines that additional oversight is necessary to ensure that an IHE meets SARA requirements (e.g. program quality, financial stability/consumer protection, enrollment limits, etc.)
- OBR would have to report to MHEC on any school who is granted provisional status

Questions

5. On the Application and Approval form for Institutional Participation in SARA – Item #3 – Because public institutions are presumed to be sufficiently financially stable, would a public institution leave this blank in the column for initials on the left side?

Yes

Questions

6. Does OBR wish institutions to show some sort of evidence of compliance for Item #4 – *Interregional Guidelines for the Evaluation of Distance Education*?

Submit a statement indicating that the institution is in compliance. If we learn of problems or start getting complaints, we can revisit with the college.

Questions

7. Regarding Item #5, is there concern that the agreement to provide responsibility for actions of 3rd party providers extends beyond what is permitted under Ohio Law (ORC 2743.02)? A concern was raised that the agreement indicates that the institutions are agreeing to provide for an indemnity that is prohibited under Ohio law.

Questions

Our legal counsel suggests that IHEs add language to contracts with providers that a) includes all the requirements of SARA or b) requires that the provider indemnify them for their actions. The IHE controls the contract with the providers and is the entity that can make sure the provider complies. We suggest that you accept the agreement and make it a contract point going forward.

**HOWEVER, EACH IHE SHOULD CONSULT THEIR
RESPECTIVE LEGAL STAFF**

Questions

8. In what format does OBR expect notification to students regarding professional licensure as directed by Item #10? What is deemed acceptable notice? The SARA Policies and Standards document page 7, subparagraph 6, simple states that information must be provided in writing. Is listing specific state regulations on a website acceptable?

Questions

- OBR expects the institution to be as transparent as possible with all students so that students are well aware that the institution is not responsible for/guaranteeing students obtaining licensure in other states.
- Possible means of notification (which could all be web-based): admissions information; course catalogs; program descriptions; etc.
 - You could point out that they meet the “letter of the law” by putting it in writing in one place, but if we start getting student complaints, it could jeopardize future approval for SARA.

Questions

9. Regarding the Ohio attachment asking for the web link to information on the institutional complaint process – does OBR have an expectation of specific language?

- The site needs to be assessable for all students.
- The formal appeal/complaint process needs to be clearly outlined.
- Needs to explain that the student must go through the institutional appeal process prior to filing a complaint with OBR.

Additional Questions

The floor is open for additional questions.

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