



Western Interstate Commission for Higher Education –
State Authorization Reciprocity Agreements

A voluntary, regional approach to state oversight of distance education

Application Procedures for State Membership in SARA

Application

A state that wants to apply for membership in the State Authorization Reciprocity Agreement (SARA) must submit to its **Regional** education compact's SARA office a **SARA State Application** form. Include with that form the following documents:

- A. A copy of the statutory or other legal authority for the state entity signing the agreement to enter into an interstate agreement, and Evaluator checkoff
- B. A copy of the complaint investigation and resolution process to be used to handle all complaints resulting from institutional operations (public and nonpublic) under SARA. Evaluator checkoff

Appeals

A state that wants to appeal an adverse decision by its regional compact on its SARA membership application or its operations under SARA is eligible to appeal to the National Council for SARA under procedures to be developed by the Council.

Requirements for State Membership in SARA

To be accepted into a regional **State Authorization Reciprocity Agreement**, a state must agree that it can and will operate under the criteria for state membership established in the Regional agreements. The requirements for state membership are set forth below. For purposes of SARA, the term "state" includes the District of Columbia and the organized U.S. Territories.

A. BASIC ELIGIBILITY OF STATES

1. The state must be a member of one of the four interstate higher education regional compacts that administer SARA, or must have concluded an agreement with such a compact covering SARA activity.
 Evaluator checkoff
2. The state entity responsible for joining SARA must have the legal authority under state law to enter an interstate agreement on behalf of the state. Evaluator checkoff

B. FUNCTIONAL RESPONSIBILITIES OF STATES

3. The state accepts institutional accreditation by an accrediting body recognized by the U.S. Secretary of Education as sufficient, initial evidence of academic quality for approving institutions for participation in SARA.
4. The state considers applications from degree-granting institutions of all sectors (public, private non-profit, and private for-profit) on the same basis and approves institutions that meet SARA standards and agree to SARA processes and commitments without differentiating by sector.
5. For private institutions, the state accepts an institutional federal financial responsibility rating of 1.5 (or 1.0 with justification) as sufficient financial stability to qualify for participation in SARA.
6. The state has a clearly articulated and comprehensive state process for consumer protection in regard to SARA activities, both with respect to initial institutional approval and on-going oversight, including the resolution of consumer complaints in *all sectors*. Evaluator checkoff

NOTE: The problem-solving methods need not be identical for all institutions, as different boards or agencies may be involved depending on the nature of the problem, but the authority of the state to resolve complaints related to SARA activity must be substantially the same for all institutions.

7. The state designates a “portal agency” as defined in SARA policies and standards to coordinate SARA matters for the state and provide a principal point of contact for resolution of student complaints.
 Evaluator checkoff

NOTE: The designated agency need not itself be responsible for all oversight activities of SARA providers inside the state, but will be the SARA portal for that state.

8. The state agrees that it will work cooperatively with other SARA states, regional compacts and NC-SARA to enable success of the initiative. It will follow up on requests for information or investigation from other SARA member states or any SARA regional or national office, providing such data or reports as are required.
9. The state agrees that it will not impose on an institution operating under SARA from another state any requirements, standards, fees or procedures other than those set forth in SARA policies and rules. This does not preclude the state from enforcing its laws against nondomestic institutions in non-educational subject areas outside those covered by SARA.
10. The state agrees to require each SARA applicant institution to apply for state approval using the standard SARA institutional application and agree to operate under the *Interregional Guidelines for the Evaluation of Distance Education*, summarized in SARA policy 5(2)1-9.
11. The state agrees to serve as the default forum for any SARA-related complaint filed against an institution approved by the state to participate in reciprocity. The state’s SARA portal agency is responsible for coordinating any such efforts and is empowered to investigate and resolve complaints that originate outside of the state. All other state agencies and governing boards of SARA participant institutions shall assist as

necessary in such investigations and report as needed to the portal agency. State remedies, if any, including refunds or other corrective action, must be available to resolve complaints involving residents of other states.

12. The state agrees to document:
 - a) all formal complaints received;
 - b) complaint notifications provided to institutions and accrediting agencies;
 - c) actions taken that are commensurate with the severity of violations; and
 - d) complaint resolutions.

13. The state agrees that it will promptly report complaints and concerns to the institutions about which the complaint is lodged, the home state SARA portal agency responsible for any such institution and, if appropriate, the relevant accrediting bodies.

14. The state has clear and well-documented policies for addressing catastrophic events affecting the institutions for which it is responsible. All states must periodically demonstrate to their regional SARA entity that they have clear and well documented policies and practices for addressing such catastrophic events. Such assurances can come in various forms – tuition assurance funds, surety bonds, teach-out provisions, etc. – and they can come from individual institutional requirements, multi-institutional cooperatives, or state-supported activities. A participating state can choose its own approach, but it must demonstrate that the approach it has selected adequately protects students as consumers. The state entity must also assure that it either requires institutions to have disaster recovery plans, particularly with respect to the protection of student records, or that the state provides such a plan. The state may request assistance from the institution’s accreditor as the accreditor applies its standards under §602.24(c) of federal requirements for catastrophic events. A SARA member state agrees to apply its existing recovery and compensation standards and remedies equally to students of SARA institutions who are residents of any state. Evaluator checkoff

Application for State Membership in State Authorization Reciprocity Agreement (SARA)

State: _____

Portal Agency (principal SARA contact agency): _____

Mailing Address of Portal Agency: _____

Web site of Portal Agency (location of state’s SARA information) _____

Name of staff member in Portal Agency who is principal SARA contact:¹ _____

Phone number of principal SARA contact: _____

E-mail for principal SARA contact: _____

¹ The principal contact is the person with whom states, agencies and students should communicate about SAR. It is not necessarily the state signatory officer.

I, the undersigned representative of the State of _____, having the authority to commit the state to the SARA interstate agreement,² agree that the state will abide by SARA requirements as stated above, have provided proof of those requirements needing documentation, and hereby apply for the state's admission to the SARA interstate agreement.

Signature: _____

Name of signatory officer: _____

Date signed: _____

Title of signatory state officer: _____

Evaluation of Application for State Membership in SARA

Evaluator findings

In order for a state to join SARA, the evaluator must find that it agrees to or meets all of the standards set forth within in sections 1-14. If the evaluator finds that the state meets all required standards, the regional SARA Director shall recommend approval of the state's membership to the regional compact by signing below.

Signature of regional compact officer: _____

Name of regional compact officer: _____

Date signed: _____

Title of signatory regional compact officer: _____

If SARA membership is denied by the regional compact, the SARA regional director will provide to the applicant state a written reason for the denial. The state may reapply at any time, having corrected any deficiencies, or may appeal the denial to the National Council for SARA.

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² Attach copy of statutory or other authority for the signatory agency to enter an interstate agreement.