



POLICY TITLE

Policy on Mandatory Professional Licensure Disclosures

POLICY NUMBER

1-011

Responsible Unit: Office of Academic Affairs - SUBR	Effective Date: 07/01/2020
Responsible Official: Vice Chancellor for Academic Affairs - SUBR	Last Reviewed Date:
Policy Classification: Academic Affairs - SUBR	Origination Date: 06/24/2020

I. POLICY STATEMENT AND RATIONALE

Pursuant to the Department of Education’s final rules for state authorization for distance education regulations, codified at 34 CFR 600.9 and 34 CFR 668.43, an institution’s degree programs, regardless of mode of delivery, that are either (1) designed to meet educational requirements for a specific vocational license or certification that is required for employment in an occupation, or (2) advertised as meeting such requirements, must inform both prospective and currently enrolled students of the specific states in which:

- The institution has determined its curriculum *meets* the state educational requirements for licensure or certification
- The institution has determined its curriculum *does not* meet the state educational requirements for licensure or certification
- The institution *has not determined* whether its curriculum meets the state educational requirements for licensure or certification

The regulations take effect on July 1, 2020.

II. POLICY SCOPE AND AUDIENCE

This policy is aimed at prospective and currently enrolled students who should be advised by the institutions whether the program the student wishes to pursue will provide him or her with the educational prerequisites to seek licensure or certification in the state where the student is located. The Division of Academic Affairs, the Division of Enrollment Management, the Division of Finance and Budget, and the Office of E-Learning shall be aware of and comply with this policy.

III. POLICY COMPLIANCE

Failure to comply with this policy may be subject to penalties under the “misrepresentation statute,” 34 CFR 668.71. False or misleading disclosures regarding the ability of a student to obtain licensure or practice a trade or profession in a particular state may lead to violations of the Title IV misrepresentation rules, which carry serious penalties and may invite private lawsuits, or even FTC or State Attorneys General investigations.

IV. POLICY DEFINITIONS

Prospective Student Direct Licensure Disclosure: a written statement to a prospective student **before** the student makes a financial commitment or within 14 calendar days of making a determination, whichever comes first, informing the student that the institution has determined that (1) its program’s curriculum does not meet the state educational requirements for licensure or certification in a state in which a prospective student is **located**, or (2) that the institution has not made such a determination.

Current Student Direct Licensure Disclosure: a written statement to a currently enrolled student within 14 calendar days of making such a determination, informing the student that the institution has determined that its program’s curriculum does not meet the requirements in a state where a current student is located.

General Licensure Disclosure: a “readily available” published statement that informs both prospective and currently enrolled students of the specific states in which:

- The institution has determined its curriculum meets the state educational requirements for licensure or certification
- The institution has determined its curriculum *does not* meet the state educational requirements for licensure or certification
- The institution has not determined that its curriculum meets the state educational requirements for licensure or certification

Vocational License or Certification: “Professional Licensure” or “Licensure” means: A process of State or other governmental entities that establishes standards of practice and gives legal permission to practice a profession by providing licenses to individuals who meet those standards. (adopted from the NC-SARA definition at https://www.nc-sara.org/sites/default/files/files/2020-02/NC-SARA_Manual_20.1_Final_2.6.20.pdf)

Written Statement: a writing direct to a specific individual the purpose of which is to inform the current or prospective student of a required disclosure. This shall include email addressed to the student at the exact email on record.

V. POLICY IMPLEMENTATION PROCEDURES

See Attachment A - "Procedures for Implementation of Policy on Mandatory Professional Licensure Disclosures." Regarding institutional administrative responsibility, the Division of Academic Affairs, the Office of E-Learning, the Division of Enrollment Management, and the Office of the Registrar shall be responsible for these and additional procedures and necessary for implementation of the policy.

VI. POLICY RELATED INFORMATION

The applicable rules can be found at 34 CFR Parts 600, 602, 603, 654,668, and 674:
URL: <https://www.govinfo.gov/content/pkg/CFR-2019-title34-vol3/xml/CFR-2019-title34-vol3-sec600-9.xml>

VII. POLICY HISTORY AND REVIEW CYCLE

This is a new policy. The effective date of this policy is July 1, 2020 as required by 34 C.F.R. Section 600.9. This origination date of this policy is June 24,2020 and is subject to review at such times as mandated by federal law and the Southern University System five-year policy review cycle.

VIII. POLICY URL

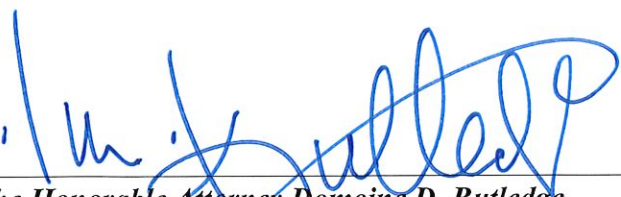
Upon approval, the policy will be located at this URL: <http://www.sus.edu/page/su-board-policies>

IX. POLICY APPROVAL



Ray L. Belton, Ph.D.
President-Chancellor, Southern University and A&M College System

Effective Date of Policy



The Honorable Attorney Domoine D. Rutledge
Chair - Southern University System Board of Supervisors

Effective Date of Policy

ATTACHMENT A

Procedure for Implementation of Policy on Mandatory Professional Licensure Disclosures

Institutional Administrative Responsibility

The Division of Academic Affairs, the Office of E-Learning, the Division of Enrollment Management, and the Office of the Registrar shall be responsible for these and additional procedures and necessary for implementation of the policy.

Vocational License or Certification Determination

Pursuant to the definition of “*Professional Licensure*” or “*Licensure*” set forth in the Policy on Mandatory Professional Licensure Disclosures, the University shall determine whether:

- A degree program’s curriculum *meets* states’ educational requirements for licensure or certification
- A degree program’s curriculum *does not meet* states’ educational requirements for licensure or certification
- A degree program’s curricula for which it *has not determined* whether it meets states’ educational requirements for licensure or certification

Procedures for General Licensure Disclosure

The University shall make *readily available* to prospective and currently enrolled students a list of degree programs’ curricula that may lead to states’ professional licensure or licensure. The information shall be published and maintained on the website, and in the academic catalog. The information provided shall include the specific states in which:

- The institution has determined its curriculum *meets* the state educational requirements for licensure or certification.
- The institution has determined its curriculum *does not meet* the state educational requirements for licensure or certification.
- The institution *has not determined* that its curriculum meets the state educational requirements for licensure or certification.

Procedures for Prospective Student Direct Licensure Disclosure

The University shall provide a written statement to a prospective student before the student makes a final financial commitment to the institution that:

- The institution has determined that its program’s curriculum *does not meet* the state educational requirements for licensure or certification in a state in which a prospective student is located.
- The institution *has not determined* the state educational requirements for licensure or certification in a state in which a prospective student is located.

Procedures for Current Student Direct Licensure Disclosure

Within 14 days of its determination, the University shall provide a written statement to a currently enrolled student informing the student that:

- Its degree program's curriculum *does not meet* the state educational requirements for licensure or certification in a state in which a prospective student is located.