



## Complying with Professional Licensure Requirements: A Beginner's Checklist

Compiled in June 2022 by SAN Special Interest Team

### Overview

Many professions (e.g., education, law, speech pathology, nursing, etc.) are regulated such that individuals must obtain licensure or certification (collectively, "licensure") beyond their degree to be eligible for employment. Meanwhile, specific licensure requirements, including educational prerequisites, vary by U.S. state, territory, and district (collectively, "State") as well as by profession, with individual state licensing boards/agencies overseeing these requirements.

Wherever licensure is required for employment, if an institution offers programs designed to meet or advertised as meeting educational requirements for licensure for such an occupation, the U.S. Department of Education (ED) requires ([34 CFR § 668.43](#)) institutions to publish the following information, regardless of course or program modality:

- States where it's been determined the curriculum *meets* educational requirements
- States where it's been determined the curriculum *does not meet* these requirements
- States where no such determination has been made<sup>1</sup>

If the institution has either (i) determined that the curriculum *does not* satisfy licensure requirements where a prospective student is located, or (ii) not made a licensure determination where a prospective student is located, the institution would need to separately notify the prospective student in writing (e.g., via email) prior to their enrollment.

For current students, if the institution later determines that the program does not meet educational requirements for licensure where a student is located (due to a change in the student's location or a change in the Host State's requirements), the institution must notify the student within 14 calendar days of making that determination.

Institutions that participate in the State Authorization Reciprocity Agreements (SARA) must exhaust "all reasonable efforts"<sup>2</sup> to make a licensure determination before notifying a student or

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<sup>1</sup> Please note: As of May 2022, USED is considering rule proposals that could prohibit institutions from enrolling students located in states where the institution has not determined that educational requirements will specifically be satisfied. Future updates, including public comment opportunities, will be published on [USED's Negotiated Rulemaking webpage for Higher Education](#).

<sup>2</sup> SARA Policy Manual (v. 21.1), 5.2 Programs Leading to Professional Licensure. *SARA has no effect on state professional licensing requirements. Any institution approved to participate in SARA that offers courses or programs designed to lead to professional licensure or certification or advertised as leading to licensure must satisfy all federal requirements for disclosures regarding such professional licensure programs under 34 §C.F.R. 668.43. For SARA purposes, these requirements will also apply to non-Title IV institutions.*

applicant that a determination has not been made. When unable to make such a determination, participating institutions must also provide contact information for the applicable licensing board and advise the (current or prospective) student to determine whether the program meets requirements.

### **The Checklist**

The following checklist provides a compilation of recommended processes to begin your journey toward ensuring professional licensure notification compliance at your institution. These processes are not all inclusive—you may discover unique processes at your institution that more readily achieve your institution’s compliance goals.

<p><b>Offices/Individuals to include:</b></p> <ul style="list-style-type: none"> <li>● Registrar</li> <li>● Legal or general counsel</li> <li>● Faculty or Program Directors/Chairs</li> <li>● Admissions</li> <li>● Financial Aid</li> <li>● Institutional Research/Data Analytics</li> </ul>	<p><b>Tools needed:</b></p> <ul style="list-style-type: none"> <li>● Place(s) to record/store/access information <ul style="list-style-type: none"> <li>○ Database(s)</li> <li>○ Spreadsheet(s)</li> <li>○ Filing system for paper documents</li> </ul> </li> <li>● An enormous cup of coffee</li> </ul>
<p><b>Data needed:</b></p> <ul style="list-style-type: none"> <li>● Degree audits</li> <li>● College/University Catalog</li> <li>● College/University websites</li> <li>● Student and Applicant Data (specifically program, modality, and location data)</li> </ul>	

### **● GATHERING YOUR INFORMATION**

A major step in meeting the compliance regulations is to understand what programs and students are affected by the regulations. To comply with the Federal regulations, you must:

- *Determine which Programs lead to Professional Licensure:*

For your professional licensure programs, you will need to determine:

- All programs offered by your institution that fit into this category
  - Is the program *intended* (was it designed) to meet educational requirements for a specific professional license that is required for employment in an occupation?
  - Is the program *advertised* as meeting such requirements?

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For SARA purposes, institutions that are unable, after all reasonable efforts, to determine whether a program will meet state professional licensure requirements shall provide the student or applicant with current contact information for any applicable licensing boards and advise the student or applicant to determine whether the program meets requirements for licensure in the state where the student is located.

- Location of the program
  - Is the program delivered on the main campus only? Branch campus or additional location? Globally?
  - Is the program offered on-ground/face-to-face, via distance or correspondence education?
- Curriculum of the program
  - How many total credits are in the degree program offered by your institution?
  - Are there a specific number of clinical or practicum hours that your students will take as part of this program?
  - Does the student take the licensing exam in your state as part of the degree program?
- *Determine each Student's location*

The *physical* location of the student when accessing their education is a key determinant related to professional licensure notifications. An institution must make a determination regarding the State in which a student is located in accordance with the institution's policies or procedures, which must be applied consistently and can be requested by ED for review. Note that location may change during the course of a student's academic career.

For each student enrolled in a program leading to professional licensure, consider the following:

- When and how will you initially determine a student's location?
- How will you know when student location changes have occurred after an initial determination is made?
- How often/when/where do you remind students to update their location?
- Where is this information/data stored and how will it be shared with academic units, as applicable?
- *Identify the relevant educational requirements for licensure from each State agency:*

For each professional license, the institution should:

- Identify the state agency responsible for, or that oversees, the licensure/certification process for the profession in the state or territory where your student(s) are located (e.g., GA Board of Speech-Language Pathology & Audiology; CO State Board of Psychologist Examiners; Guam Board of Registration for Professional Engineers, Architects and Landscape Architects).
- Access & review the respective licensing board requirements regarding education required for students to be eligible to sit for the licensing exam or certification.

- Determine if the state/territory requires your institution's program to be approved by the state licensing board *prior* to a student being eligible for the licensing exam or certification?
  - e.g., In addition to other requirements, for students wishing to take the CPA exam in Hawai'i, the state requires that an applicant must have a degree that is "conferred by a college or university recognized by the board. . .".
- Determine whether the field/occupation requires licensure in every state/territory
  - e.g., Professional (non-academic) geologists are required to hold professional licensure in only 36 states.
- Identify if the requirement for licensure is required for employment in every state or on a position-by-position basis?
  - e.g., Engineering

- **PROGRAM REVIEW**

After gathering the relevant information, the institution must review the information to make a notification determination.

- *Compare the academic requirements of the State/Territory professional licensing board vs. your program(s) requirements:*
  - Does the state/territory's professional licensure board require the student to graduate from an "accredited" program?
    - e.g., For Psychologists, the majority of state agencies require that a student graduate from an APA accredited program.
  - Does the state/territory's professional licensure board require students complete a particular number of hours in a clinical, predoctoral, or otherwise noted experiential learning format?
    - What is the number of hours your institution's program advertises or has otherwise noted in the catalog/on the website?
  - Does the state/territory's professional licensure board require courses in a specific field or subject?
    - e.g., South Carolina statute requires mental health counselors to have "coursework content providing an understanding of career development theories" as part of their graduate studies, while Arkansas requires at least one graduate credit in "Technology Assisted Counseling."
- *Make a Determination*
  - After comparing the academic requirements, the institution must determine whether the program meets or does not meet those educational prerequisites.

- If you are unable to make a determination (e.g., the agency does not publish the requirements and you've been unable to make contact with them to seek clarification), you will need to designate your program as "unable to determine."

- **DOCUMENTING YOUR FINDINGS AND PROCESS**

Once you have completed your research and made the determinations for your programs, the institution must document (both publicly and for internal process documentation) findings and the process.

- *Document your determinations on a public website*
  - Public (general) notifications are required as part of these regulations
- *For institutions that participate in SARA, how and when do you disclose the contact information for the various state agencies?*
- *Document your process*
  - Indicate how often state requirements are reviewed
  - Indicate where this information is documented
  - Indicate how and when required notifications and disclosures are sent
  - Indicate how program changes are incorporated and reviewed
  - Indicate how and when student location is determined

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