**LEGISLATION**

*Authors: Representative Joan Ballweg and Senator Sheila Harsdorf*

This bill creates a Distance Learning Authorization Board (DLA Board) attached to the Higher Educational AIDS Board. The DLA Board consists of the following members: 1) the president of the University of Wisconsin System or his or her designee; 2) the president of the Technical College System Board or his or her designee; 3) the president of the Wisconsin Association of Independent Colleges and Universities or his or her designee; 4) the executive secretary of the Educational Approval Board (EAB); and 5) one person representing Wisconsin tribal colleges.

Under the bill, the DLA Board may, on behalf of this state, enter into the State Authorization Reciprocity Agreement or any amendment to or superseding version of it, or any other interstate reciprocity agreement related to state authorization and oversight of postsecondary institutions that offer distance education to out-of-state students (collectively “agreement”). However, before the DLA Board enters into an agreement, the DLA Board must provide the agreement to the Joint Committee on Finance under a passive review process.

**UW SYSTEM POSITION: SUPPORT**

The federal program integrity rules issued by the U.S. Department of Education require postsecondary institutions offering distance education (including online degrees and programs) to be authorized by the state where the student, not the institution, is located. However, individual states vary widely in statutory, regulatory and cost requirements governing higher education distance learning services provided to their residents by out-of-state colleges and universities. This is cumbersome and costly to both institutions and students.

Regional higher education compacts including the Midwest Higher Education Compact (MHEC), of which Wisconsin is a member, have organized a network of State Authorization Reciprocity Agreements, or SARAs. Under these agreements, participating states will recognize the regulations of the home state of the postsecondary institution offering distance learning. As a result, the Wisconsin laws pertaining to Wisconsin institutions would be recognized by other states participating in the reciprocity agreements, exempting Wisconsin colleges and universities from bureaucratic hurdles and costs, and simplifying the authorization process for interstate offering of distance education.

This bill ensures that Wisconsin public and private higher education institutions can offer high quality educational opportunities to out-of-state students and comply with requirements in serving these students in a more efficient and cost-effective way.

This legislation was drafted at the request of UW System, Wisconsin Technical College System and Wisconsin Association of Independent Colleges and Universities. All of these groups were closely consulted throughout the drafting process.

The Office of University Relations recommends that the Board of Regents formally take a position in support of this legislation.