

Compliance with Department of Education State Licensure Requirements

The U.S. Department of Education has mandated that by July 1, 2014, all institutions of higher education must show good faith efforts towards compliance with 34 CFR 600.9(c) which states:

“If an institution is offering postsecondary education through distance or correspondence education to students in a State in which it is not physically located or in which it is otherwise subject to State jurisdiction as determined by the State, the institution must meet any State requirements for it to be legally offering postsecondary distance or correspondence education in that State. An institution must be able to document to the Secretary the State's approval upon request.”

An institution is required to obtain approval from a state regulatory agency if the institution's activities trigger a “presence” in the state. The definition of presence and the activities that trigger it vary greatly from state to state. The rules and procedures governing compliance are challenging to navigate and require a solid understanding of the technicalities and legal nuances associated with regulatory compliance management.

Due to the ever-changing nature of the regulatory framework, risk management has become a significant issue. Conflicting requirements can result in unintended consequences that can have a severe negative impact on an institution's business model. When institutions offer instruction to students in various states through online delivery, protecting the “home institution” from undue regulatory reach and limiting exposure to site visits of the “home campus” by regulators from other states becomes crucial. The expertise in knowing how and when to “push back” against unreasonable and illegal requests from regulatory bodies is vital to the efficient operation of the institution.

Stevens Strategy®, LLC has partnered with Figuli Law Group to analyze each state's licensing requirements and to offer our clients comprehensive services to respond to this regulatory morass. Together, Stevens Strategy and Figuli Law Group have well over 50 years of experience in advising colleges and universities in the US and throughout the world.

We have spent more than 200 hours collecting information from each state to develop our State-by-State Survey. The experience and the contacts we have gained through our direct work with those state licensing agencies have given us knowledge of the “real” licensing requirements, enabling us to provide unparalleled guidance tailored to your institution's needs.

Our services range from the provision of a report summarizing each state's licensure requirements and contact information (State-by-State Survey), to preparing state-by-state registration and exemption applications, to completing applications for licensure in each applicable state.

The cost of compliance depends on the level of service your institution requires, which will be determined by your answers to a brief questionnaire. The questionnaire ascertains your state-by-state compliance profile based upon your activities within each state.

<u>Service</u>	<u>Fee</u>
State by State Survey	\$6,250
Notification, Registration or Application for Exemption with State(s)	\$1,250/State ¹
Application for Licensure with Individual State	Minimum of \$3,750 ^{1,2}

The services we provide are customizable and will be determined based on your institution's compliance profile and the filing requirements that are necessary in each applicable state. The requirements of a limited number of states are very extensive, equivalent to an accreditation application, so prices vary--in some cases dramatically--by state.

[Click here for more information](#)

¹ Plus State Application Fees.

² Four states currently require full licensure; our fees in those states range between \$3,750 and \$26,250.