

Professional Licensure/Certification Disclosure Checklist

2019 Federal Regulations

1. General Disclosures for States and Territory

34 CFR 668.43(a)(5)(v)- General Disclosures

- Complete the Professional Licensure/Certification Disclosure Program Template for each program at your college that leads to professional licensure and certification for **ALL** modalities or modes of educational delivery. This includes curriculum and continuing education programs.
- Post the program templates on your college's State Authorization webpage.
- Provide a link on each of your college's licensure and certification program webpages to the corresponding program template listed on your State Authorization webpage.
- If desired, provide links to the following on the College's State Authorization webpage:
 - √ The North Carolina Business & Occupational License Database website (<https://ncbold.com>)
 - √ The NC-SARA Professional Licensure Directory webpage (<https://nc-sara.org/professional-licensure-directory>) which provides contact information for five programs (Counseling, Nursing, Psychology, Social Work, and Teacher Education) that lead to a professional license.

2. Direct Disclosure to Students

34 CFR 668.43(c) Direct Disclosures

- Prior to enrollment, students must be notified in writing (direct disclosure) if the program does not meet OR the institution has not made a determination whether the program meets education requirements for licensure and/or certification in the state where the student is located.
- The regulations state "regarding the timing of these disclosures, the U. S. Department of Education (DOE) expects that the institution will provide this disclosure **before a student enrolls into a program or** in the event that an institution does not provide an enrollment agreement, **before the student makes a financial commitment to the institution.**
- If the student is enrolled in a program and the institution makes a determination that the program does not meet educational requirements in the state where the student is located, the institution **has 14 calendar days to notify the student in writing.**

*NOTE: Be sure to **document** that any required direct notifications (pre enrollment and/or address change) were sent. An easy way to do this is to ensure that a copy of the letter or email is kept within the student's academic record.*

3: College Process Related to Professional Licensure Disclosure

34 CFR 600.9(c) Direct Disclosures – College Processes

- ❑ Upon request, the institution must document for the U. S. Department of Education (DOE) the disclosure process used by the institution to determine the licensure and certification programs and the process for identifying student location.
- ❑ Each college must have a defensible process for maintaining and reporting professional licensure and certification disclosure. The process must include regular review of licensure and certification information (annual, bi-annual, etc.) and updating of webpage information.
- ❑ State Professional Licensing Boards -- Remember that state laws exist as well. Be sure to comply with the respective professional licensure state laws.

Specific Federal Regulations That Guide Professional Licensure Disclosure

Item 1: Requirements: Federal (DOE):

The institution must make general disclosures for every state and territory when determining if the institution's professional licensure or certification curriculum or continuing education program meets the educational requirements of those states and territories. The policy rationale is to supply information to students, who are reviewing the institution, so the students can make informed decisions about participating in the program at the institution. The fact that your institution does not have current students or incoming students from a specific state is irrelevant.

Additionally, these disclosures must be made for programs that lead to professional licensure for **ALL** modalities or modes of educational delivery. This includes distance education programs, hybrid programs, and face-to-face programs. The only way to truly avoid this regulation is to discontinue offering degree programs that lead to professional licensure altogether.

34 CFR 668.43(a)(5)(v) – GENERAL DISCLOSURES*

For All modalities, disclosures must be made if the institution's degree programs are:

- **"designed"** to meet educational requirements for a specific professional license or certification that is required for an occupation, or
- **"advertised"** as meeting professional licensure educational requirements in a state for that occupation.

**Please note that disclosures are not based on whether the degree program actually leads to a professional license or certificate (i.e., a fully online RN-to-BSN program). If the program is designed or advertised to meet professional licensure criteria required for an occupation, disclosures must be made.*

The institution should disclose their findings by creating:

- A list of states where the program curriculum meets state educational requirements for licensure or certification.
- A list of states where the program curriculum does not meet state educational requirements for licensure or certification.
- A list of states where the institution has not made a determination.

Item 2 Requirements: 34 CFR 668.43(c) – DIRECT DISCLOSURES

For All modalities,

- Prior to enrollment, direct disclosure is made if the program does not meet OR the institution has not made a determination whether the program meets education requirements. The regulations state that "regarding the timing of these disclosures, the Department expects that the institution will provide this disclosure **before a student signs an enrollment agreement** or, in the event that an institution does not provide an enrollment agreement, **before the student makes a financial commitment to the institution.**
- If the student is enrolled in a program and the institution makes a determination that the program does not meet educational requirements in the state where the student is located, the institution has 14 calendar days to notify the student.

Item 3 Requirements: 34 CFR 600.9(c) – COLLEGE PROCEDURES RELATED TO PROFESSIONAL LICENSURE DISCLOSURE

- Upon request, the institution must document for the U. S. Department of Education the basis of the institution's determination of the programs and of student location.