

SREB

SREB-SARA Regional Steering Committee Guidelines and Procedures

Southern
Regional
Education
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SREB | State Authorization
Reciprocity Agreements

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SREB-SARA Guidelines and Procedures

I. Definitions of Terms

SARA: State Authorization Reciprocity Agreements.

NC-SARA: National Council for State Authorization Reciprocity Agreements.

Regional Compacts: Regional education compacts that each serve the states in its region through improving education. There are four Regional Compacts: the Midwestern Higher Education Compact (MHEC), the New England Board of Higher Education (NEBHE), the Southern Regional Education Board (SREB) and the Western Interstate Commission for Higher Education (WICHE).

SREB: Southern Regional Education Board.

SREB Region: Sixteen (16) states that constitute an interstate compact, including Alabama, Arkansas, Delaware, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia and West Virginia.

SREB Leadership: The SREB President or designee.

SREB-Affiliated States, Districts and Territories: For purposes of participation in SARA, Pennsylvania; Washington, D.C.; Puerto Rico and the U.S. Virgin Islands are affiliated with SREB.

S-SARA or SREB-SARA: Acronym for the Southern Regional Education Board SARA initiative, to include the SARA Director, staff and Regional Steering Committee. The other regional acronyms are N-SARA, M-SARA and W-SARA.

S-SARA Director: The S-SARA supervisor of the SARA program for that compact.

RSCs: Regional Steering Committees of the regional education compacts. Regional Compact Steering Committee makeup varies by region and may include educators, regulators, legislators and State Portal Entity representatives.

SPE: State Portal Entity. The state higher education agency or other state body designated by each SARA Member State to carry out SARA responsibilities for the state and to serve as the interstate point of contact for SARA questions, complaints and other communications.

Home State: A SARA Member State where an institution holds its legal domicile, authorization and accreditation. To operate under SARA an institution must have a single Home State.

Host State: A SARA Member State in which an Institution operates under the terms of SARA, other than the Home State.

II. S-SARA Steering Committee Purpose

In collaboration with the NC-SARA, the S-SARA Steering Committee works with S-SARA staff to approve state participation in SARA for the SREB Region. The S-SARA Steering Committee may recommend other procedural details and actions for both regional and national purposes.

A state that seeks to join SARA through SREB will submit the NC-SARA State Application and supporting documentation to the S-SARA Director.

III. S-SARA Director Roles and Responsibilities

The S-SARA Director acts as the subject matter expert and main point of contact for regional SARA SPEs, as well as the primary liaison to NC-SARA. The S-SARA Director leads, schedules and plans the S-SARA Steering Committee and working group meetings and teleconferences. The S-SARA Director will:

- Plan the agenda, speakers and content for each meeting.
- Distribute state applications and related documentation.
- Plan logistics, meals, etc. for each meeting and reconcile travel reimbursements, invoices and budgets.
- Provide meeting minutes and distribute them to the Steering Committee following each meeting.
- Ensure proper signatures are obtained on applications.
- Review state applications and renewals for required components and documentation.
- Monitor development of the Steering Committee's documents and procedures.
- Work with the SREB President as he or she determines the status of states that have application renewal dates within the next six months. States in good standing will be notified of upcoming state renewal 90 days prior to the renewal date. States deemed not in good standing will be notified of their status with SREB and their options.

IV. S-SARA Steering Committee Composition

The S-SARA Steering Committee will be composed of:

- The SREB President or designee.
- Five at-large members selected by the SREB President and staff to serve as committee representatives. These individuals will represent various stakeholders and communities of interest, including but not limited to state regulators, state government, accreditors and institutions from all sectors of higher education.
- One member who represents the SARA SPE from each participating SREB-affiliated state.
- One member who represents the SARA SPE from each non-affiliated state or district that joins SREB for SARA purposes.
- One non-voting representative from each non-SARA state that has indicated commitment to participate in SARA and is actively pursuing the development of the state application.

V. S-SARA Steering Committee Terms

- The Committee will elect a Committee Chair to serve for two years and to sign requisite documents on behalf of the Committee. The Committee Chair will represent an SPE from an approved SARA state on the S-SARA Steering Committee.
 - Nominations may be submitted to the Retiring Committee Chair or SREB-SARA Director no later than one month before the expiration of the Chair's term.
 - The Chair may be re-elected to serve one additional consecutive term and subsequently may be re-elected after a period of two years not serving as a Committee Chair.

- The method of voting will be determined during the meeting where the vote is scheduled to occur.
- The Committee will elect a Committee Vice Chair to serve for two years. The Vice Chair will stand in for the Committee Chair when the Committee Chair is absent or when the Committee Chair's state is under review. The Vice Chair will sign the requisite documents on behalf of the Committee in the absence of the Chair and on behalf of the Committee when the Committee Chair's state is under review. The Committee Vice Chair will represent an SPE from an approved SARA state on the S-SARA Steering Committee.
 - Nominations may be submitted to the Committee Chair or SREB-SARA Director no later than one month before the expiration of the Chair's term.
 - The Vice Chair may be re-elected to serve one additional consecutive term and may be re-elected after a period of two years not serving as Vice Chair.
 - The method of voting will be determined during the meeting where the vote is scheduled to occur.
- The SREB President will determine the terms of service for at-large Steering Committee members.
 - At-large members of the S-SARA Steering Committee will be appointed to staggering terms, with two of the members being appointed for three-year terms and the remaining members appointed for two-year terms.
 - New appointments will be for two years unless a vacant three-year spot is available.
 - Individuals may be reappointed by the SREB President or designee to serve additional terms.
 - At-large members of the S-SARA Steering Committee who are unable to complete their terms may be replaced with another at-large representative. Such replacement members shall assume the remainder of the original member's term and subsequently may be appointed for a new term.

VI. S-SARA Steering Committee Member Commitment of Participation

Members will:

- Dedicate approximately 8-12 hours per calendar quarter to committee-related preparation and activities.
- Share personal and professional expertise with the committee in reviewing issues, resolving conflicts and making recommendations.
- Provide professional objectivity in all actions associated with committee work.
- Participate in scheduled state application review meetings. The number of S-SARA Steering Committee meetings will depend upon application submissions. No more than four meetings a year are anticipated.
- Participate in any other S-SARA Steering Committee meetings.

VII. S-SARA Steering Committee Working Groups

Working groups may be formed to work on processes, recommendations to NC-SARA, or other topics as determined by the needs of the Steering Committee. The S-SARA Director will facilitate the group meetings, and either the chair or a designee will preside over the meetings. Members of the working groups will be selected by the S-SARA Director and Chair or volunteers will be solicited, depending on the subject matter. Findings from the groups will be reported to the full Steering Committee for consideration or further action.

VIII. S-SARA Steering Committee Roles and Responsibilities

The S-SARA Steering Committee will:

- Determine whether applicant states meet requirements of SARA participation included in the SARA state application as developed and distributed by NC-SARA.
- Make a formal recommendation to S-SARA staff for the adoption and implementation of SARA within an applicant state if the review of the state application is positive.
- Meet at least twice a year to review state compliance with the NC-SARA policies and procedures and affirm eligibility.
- Review state renewal applications to determine continued compliance with SARA and whether any action is necessary for the state to remain in SARA.
- Sanction states that fail to fully meet the requirements for participation and dismiss states that fail to respond to concerns related to meeting the requirements for participation.
- Collaborate with other compacts to determine legal domicile in the event that an institution seeking SARA approval has its Office of Postsecondary Education Identification (OPEID) number assigned to a campus in a state other than that of the principal accredited campus or has multiple primary campuses.
- Determine whether Supervised Field Experience is allowable under SARA Policies and Standards, should there be an objection issued by an SPE in an S-SARA state.
- Review institutional appeals related to a state's upholding of the SARA Policies and Standards.

Individual Steering Committee members will:

- Recuse themselves from decisions and recommendations related to their individual Home States' applications to participate in SARA.

IX. S-SARA Steering Committee Procedures for Actions

At the time of this publication (July 2019), all states and territories in the SREB Region have been initially approved for SARA participation; therefore, initial approval is not covered in these procedures.

A. Renewal Process

i. Renewing

- The state or territory will be notified at least 90 days in advance of the renewal date to submit a renewal application and supporting documents. The S-SARA Director will review

the application and work iteratively with the state on revisions until the Director can recommend the state application for approval at the next Regional Steering Committee meeting. S-SARA staff will respond within two weeks of receipt of the application.

- If the RSC has determined that the state’s application is adequate and complete, the RSC will vote whether to accept the state renewal for S-SARA. The RSC may approve or deny the application, request additional information from the state, and/or request changes to the state’s application.
- If the review of and vote on a state application is positive, the RSC will make a recommendation for renewal of the applicant state.
- State applications that are recommended for approval must be signed by the S-SARA Steering Committee Chair, regional S-SARA Director and SREB President. Approval is effective on the date all signatures are obtained, and the Director will notify the state of its approval.
- In the event that the RSC decides not to recommend the state for membership in SARA, the application will be returned to the state with comments within two weeks of the RSC meeting. The state may address these requests and resubmit the application or appeal the decision within 30 days of receipt of the additional requirements. The appeal should be addressed to the S-SARA Director and mailed to the S-SARA office (SREB, 592 10th Street NW, Atlanta, GA 30318).

ii. Renewal Considerations

In reviewing the state’s renewal applications, the Steering Committee will consider:

- Membership in good standing with the regional compact or as an affiliate for the purposes of SARA participation per recommendation of the SREB Board.
- The State’s Portal Entity performance and management of duties.
- New institutions approved for membership for that state.
- Institutions denied for initial or renewal membership.
- Timeliness of institution renewals and percentage of non-renewals.
- Institutions reporting or not reporting data for enrollments and clinical placements.
- The number of expired institutions, extension requests and non-renewals.
- Institutions with provisional status, reasons for provisional status and resolution of status.
- The number of complaints filed in that state and the resolution of the complaints.
- Whether the SPE has ceased to abide by the requirements of SARA.

B. Escalating Concerns to NC-SARA

The S-SARA RSC will hear and make recommendations regarding requests for significant changes to fundamental SARA provisions. A person or state making such requests should provide a written rationale supporting the request to the S-SARA Director, who will provide the request to the S-SARA RSC. If the S-SARA RSC recommends making changes, it will provide the recommendations to the S-SARA Director to present to the NC-SARA President. The S-SARA Director will communicate the recommendations in writing to the NC-SARA President and copy members of the S-SARA Steering Committee. The NC-SARA President will work with Regional Compacts, RSCs and the NC-SARA Board to ensure consideration and resolution. More information can be found in the SARA Manual, Section 8.3.

C. SARA Participating Institution Noncompliance

i. First Warning

If an SPE determines that an institution is noncompliant, through either its own investigation or notification from S-SARA staff, the SPE should give the institution a First Warning and provide an opportunity to address all areas of noncompliance. The notice should list the areas of noncompliance and require that the institution provide a response, including a timeline for compliance, to the SPE within 30 days of the date of the notice. If an adequate response is received, the matter would be considered closed.

ii. Second Warning

If there is no response to the First Warning, the problem persists, or additional complaints relating to the same matter are received, the SPE shall send the institution a Second Warning that includes a request for the institution to provide a plan to address the areas of noncompliance, a timeline and a follow-up process. If individual students are involved, the plan must include a plan to address their individual concerns. The Second Warning should also notify the institution that it will be removed from SARA pursuant to SARA Manual section 3.7c. if a plan to achieve compliance is not proposed. The response should be submitted to the SPE within 30 days of the Second Warning. If an adequate response is received, the matter would be considered closed.

iii. Notice of Removal

If a complete response to the Second Warning is not submitted, the SPE will send the institution a Notice of Removal. The Notice of Removal should reference SARA Manual section 3.7d. and state the effective date of removal. The SPE shall copy S-SARA staff on the Notice of Removal.

D. Appeals to the S-SARA Steering Committee

i. Provisional Status — Institutional Appeal

An SPE may place an institution on provisional status for four reasons: (1) provisional or probationary accreditation status; (2) cash management or a federal financial responsibility score between 1.0 and 1.5; (3) a government investigation related to academic quality, financial stability or consumer protection; or (4) a current investigation by its Home State for academic quality, financial stability or consumer protection.

An institution may appeal an SPE decision to the S-SARA RSC within 30 days of notice of the decision granting provisional status, to ensure SARA policies were followed during the review process (SARA Manual Section 3.6b.5).

- The institution shall provide a written appeal addressed to the S-SARA staff, which will be provided to all S-SARA Steering Committee members and placed on the agenda of the next RSC meeting. The written appeal shall clearly state the grounds for the appeal and, where applicable, cite the sections of the SARA Manual that the SPE may have failed to follow.
- S-SARA staff shall separately notify the SPE of the appeal and provide the SPE an opportunity to submit a written response.
- The institution may send two delegates to the RSC meeting to appeal the provisional status.

- The S-SARA RSC will hear the appeal and vote at that meeting on whether the SPE followed the SARA policies during the review process. The Steering Committee may confirm that the SPE was correct in its decision regarding provisional status, recommend to the SPE that it remove the provisional status, or request additional information.
- If additional information is requested, the hearing will conclude at the next S-SARA Steering Committee meeting.
- If provisional status is confirmed by the S-SARA RSC, there is no further appeal for the institution.

If the S-SARA RSC determines that the state did not uphold SARA policies, the S-SARA RSC may recommend adverse action against the SPE as provided for in Section X. S-SARA Steering Committee Action Against S-SARA Member States of these Guidelines and Procedures.

ii. Institution Renewal Denial Appeal

If institutional participation renewal is denied, the SPE will provide to the applicant institution a written reason for the denial. The institution may appeal the denial to its S-SARA staff within 30 calendar days, to ensure SARA policies were upheld by its Home State during the review process. (SARA Manual Section 3.6b.7)

- The institution shall provide a written appeal addressed to the S-SARA staff, which will be provided to all S-SARA Steering Committee members and placed on the agenda of the next RSC meeting. The written appeal shall clearly state the grounds for the appeal and, where applicable, cite the sections of the SARA Manual that the SPE may have failed to follow.
- S-SARA staff will separately notify the SPE of the appeal and provide the SPE an opportunity to submit a written response.
- The institution may send two delegates to the RSC meeting to appeal the provisional status.
- The S-SARA RSC will hear the appeal and vote at that meeting on whether the SPE followed the SARA policies during the review process and may recommend to the SPE that it reconsider the institution's status, request additional information, or confirm that the SPE was correct in its decision regarding denial.
- If additional information is requested, the hearing will conclude at the next RSC meeting.
- If denial is confirmed by the S-SARA RSC, there is no further appeal for the institution.

If the S-SARA RSC determines that the state did not uphold SARA policies, the S-SARA RSC may recommend adverse action against the SPE, as provided for in Section X. S-SARA Steering Committee Action Against S-SARA Member States of these Guidelines and Procedures.

iii. Home State Designation Appeal

In the event that a state or an institution disagrees with the SPE determination of a Home State, the following will apply:

- If the state under consideration is in the SREB Region, the appeal will be made to the S-SARA Director. Appeals will be reviewed by S-SARA staff, the SREB President and NC-SARA staff. Affected states and the institution will be given an opportunity to file written comments before the SREB President makes a final decision. After this decision, no further appeal is permitted.

- If the state in question is in a different Regional Compact and SREB leadership disagrees with the other Regional Compact on the Home State assignment, NC-SARA will make a final determination in consultation with the affected Regional Compacts. Affected states and the institution will be given an opportunity to file written comments at the discretion of NC-SARA.

iv. Supervised Field Experience Appeal

If a Host State objects to a Supervised Field Experience or clinical placement under SARA on the grounds set forth in subsection 2, the RSC of the affected Regional Compact(s) shall determine whether the placement is allowable under SARA (SARA Manual 5.11d.3). If states outside of the SREB Region are involved, S-SARA staff will include other Regional Compact staff in the resolution process.

- The objection to field experience shall be submitted in writing within 30 days to the S-SARA staff and RSC for consideration.
- The S-SARA staff will distribute the objection to members with a suggested resolution, requiring comment from members within two weeks of distribution.
- If all members agree with the resolution by email, the determination will be communicated to the Host State immediately.
- If members do not agree initially, the item will be placed on the agenda at the next RSC meeting for discussion and voting.
- The RSC determination for resolution is the final decision, with no further appeal.

X. S-SARA Steering Committee Action Against S-SARA Member States

Per Section 4.3 of the Unified State Authorization Reciprocity Agreement, the S-SARA RSC will monitor participating states' compliance with SARA and may:

- Expel a state from SARA;
- Sanction and outline corrective actions for states that fail to meet the requirements for participation; and/or
- Dismiss any states that fail to respond to concerns and plans for improvement.

A. Sanctioning States

Level I: Initial sanction will be a written reprimand from the S-SARA RSC, with a request for documentation of corrective actions within a specified time period, depending on the corrective actions required.

Level II: If corrective actions are not achieved within the specified time, the S-SARA RSC will address the reprimand to the Education Commissioner, Governor or legislative body and copy the state's institutions.

Level III: Expulsion.

i. State Expulsion or Dismissal and Appeal

- 1) If an unsatisfactory outcome or no response is received from sanctions, the matter will be placed on the next S-SARA Steering Committee meeting agenda to consider whether to recommend expulsion to the SREB Executive Board. The SPE may submit a written comment concerning expulsion at least 30 days prior to the meeting date and shall be afforded an opportunity to present oral comments at the meeting.
- 2) If the S-SARA RSC recommends expulsion to the SREB Board Executive Committee, S-SARA staff will notify the SPE of the date and time of consideration by the SREB Executive Committee. The SPE may submit written comments concerning expulsion at least 30 days prior to the meeting date and will be given an opportunity to present oral comments at the meeting. The SREB Executive Committee shall notify the SPE of its decision within 30 days of the meeting.
- 3) In the event a state is expelled from SARA, all SPEs and NC-SARA will be notified of the expulsion. In addition, the SPE of the expelled state shall notify all institutions participating in SARA located in the expelled state that the institutions are no longer allowed to participate in SARA and that the institutions should start teaching out online students located in states other than their Home State or seek authority to operate in the other states where it has students. The teach-out process may not extend beyond six months or the end of the current term (SARA Manual 2.3 and 2.4).
- 4) In the event of expulsion, affiliated states/territories will not receive a refund of the affiliation fee for a portion of the term.