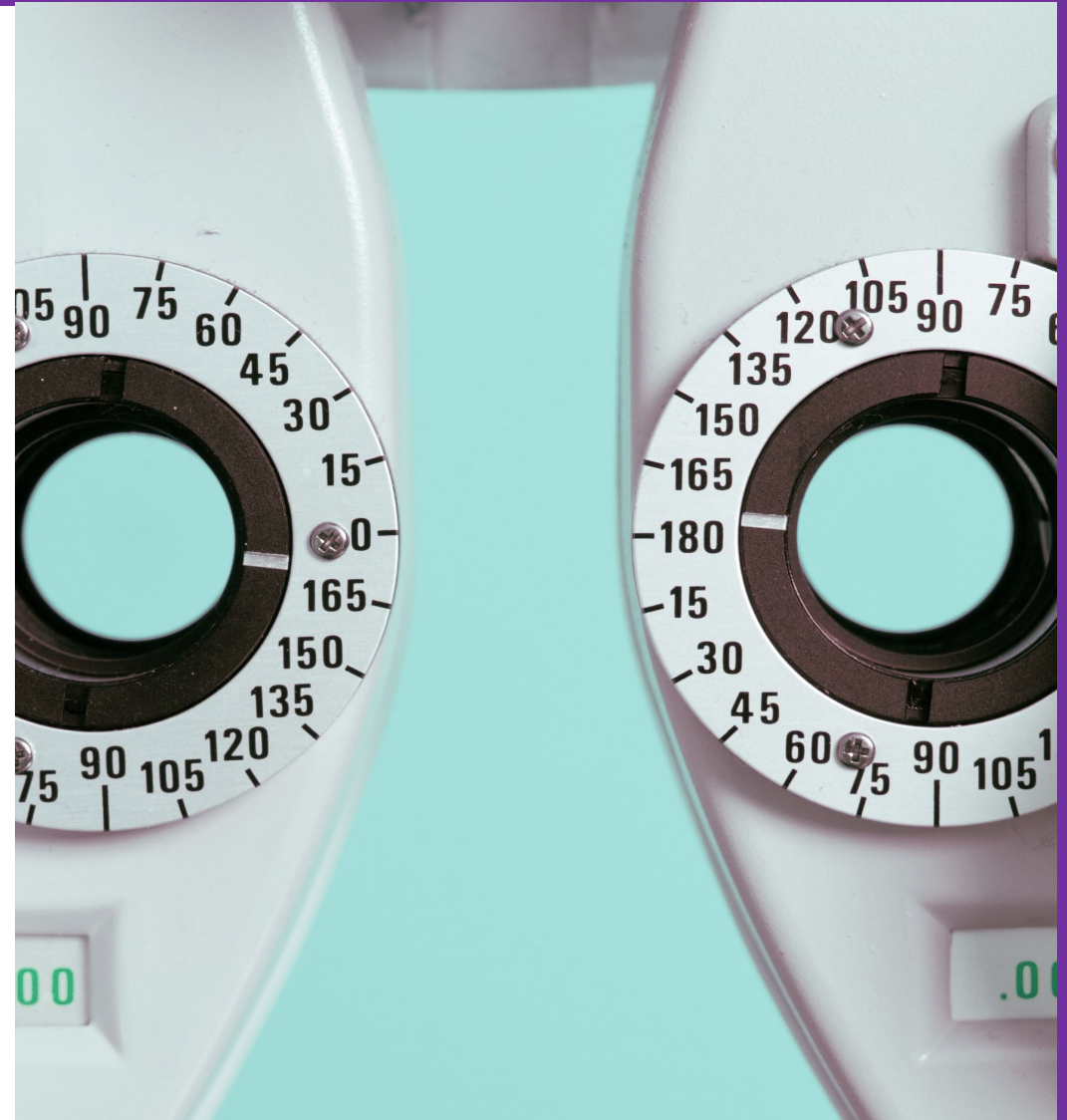


More Than Meets the Eye: The Scope of Licensure Compliance

Sarah Cheverton, James Madison University &
Kathryn Kerensky, State Authorization Network
(SAN)

May 5, 2026



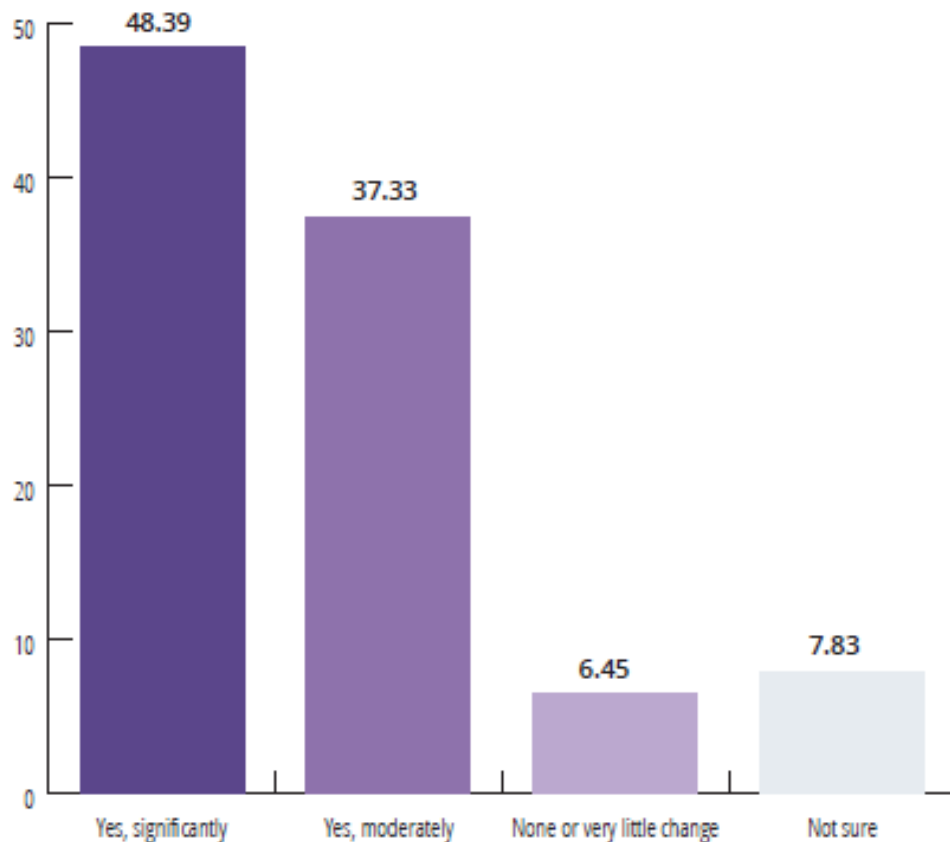
Goals for Today



- Understand how professional licensure regulations translate into day-to-day workload across institutional compliance efforts.
- Evaluate how regulatory expectations impact institutional processes, risk management, communication with students, and student access.
- Suggest some action steps that institutions, organizations, and state and federal policymakers can take for compliance and policy/process alignment.

Workload and Capacity Pressures Are Widespread and Growing

Overall Perceived Increased in Workload

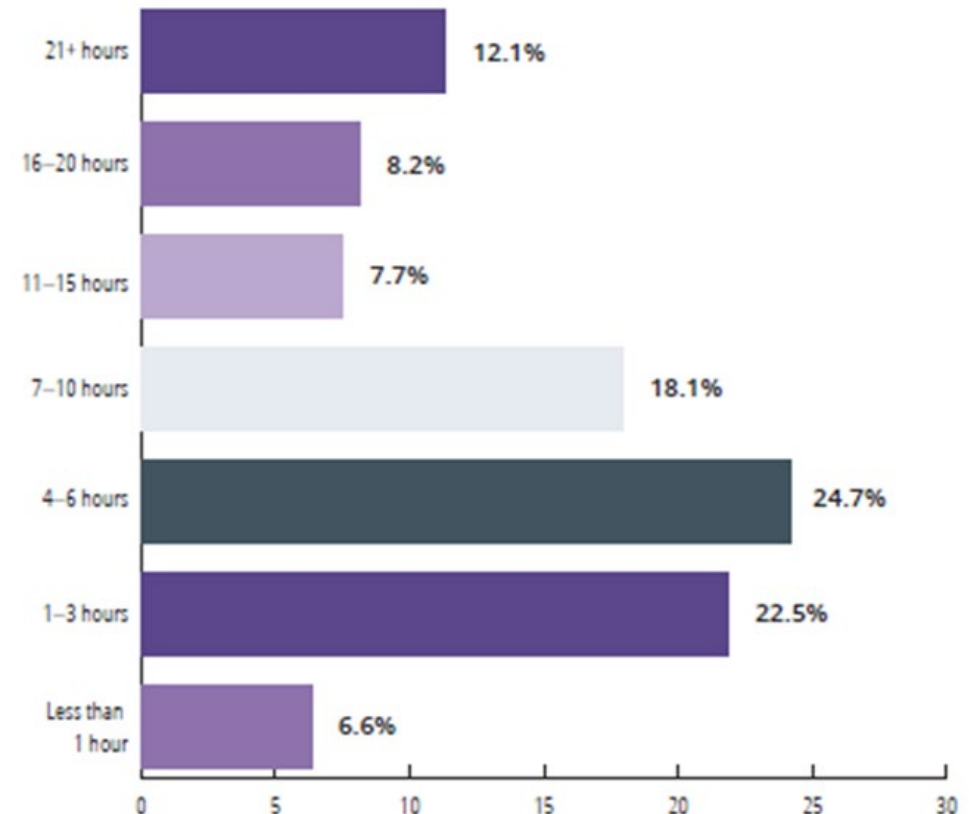


- 86% report a moderate or significant increase in workload
- Many institutions report no corresponding increase in staffing
- Small incremental increases compound across programs and states, amplifying overall burden

“Undue Burden”

+ “It has been an undue burden. 4-6 hours doesn’t sound like a lot, but 50 states, plus territories and multiple programs, it’s a lot for one person. All these requirements are burdensome. No public institution wants to harm students. There has to be a better way.”

Increase in Average Weekly Workload





The Compliance Landscape

Birds Eye View: The Compliance Universe

- + Wide range of regulated professions (nursing, barbering and cosmetology, construction trades, counseling, social work, accounting, etc.)
- + 50+ jurisdictions with different requirements (approvals, reporting, licensure, etc.)
- + Notification and disclosures requirements (state and federal)



The Compliance Landscape – What's Actually Required

- + State authorization and licensing board approvals
- + Clinical, faculty, and experiential learning requirements
- + Federal disclosures and notification obligations
- + Certification of educational requirements for licensure
- + Consumer protection and misrepresentation compliance
- + State laws and SARA-related obligations
- + Additional federal requirements (Pell, Cost of Attendance, Veterans Benefits, etc.)



SARA Requirements Relating to Professional Licensure

- + SARA has no effect on state professional licensing requirements.
- + Disclosing information about professional licensure requirements to prospective and currently enrolled students has always been a requirement of SARA.
- + Institutions must satisfy all federal requirements for disclosures regarding such professional licensure programs.
- + For SARA purposes, these requirements will also apply to non-Title IV institutions and programs (see [Section 5.2 of SARA Policy Manual](#)).



Misrepresentation and Consumer Protection

- + Federal misrepresentation statute and regulation (in the HEA and U.S. Department of Education regulation)
- + Other laws
 - State consumer protection or misrepresentation laws
 - Unfair and Deceptive practices
- + Accreditation and Ethical Standards





Federal Regulation for Professional Licensure Disclosures

- + Regulations address all modalities (includes Face to Face and Online)
- + Educational Programs designed or advertised as leading to a license required for employment in the occupation.
- + Public notifications - meets, does not meet, (states & territories where institution advertises or serves students).
- + Direct/individualized notification for prospective or enrolled students.

Disclosures (34 CFR 668.43(a)(5)(v) and (c)) effective July 1, 2020 *public disclosures amended 2024



The Federal Shift – The Challenges of Certification

- + Institutions must now certify that programs meet educational requirements, which can be challenging given varying requirements and lack of external validation.
- + Cannot enroll students in programs that do not meet requirements.
- + Institutions assume risk for incorrect determinations.



Key Takeaway: The Work Never Ends

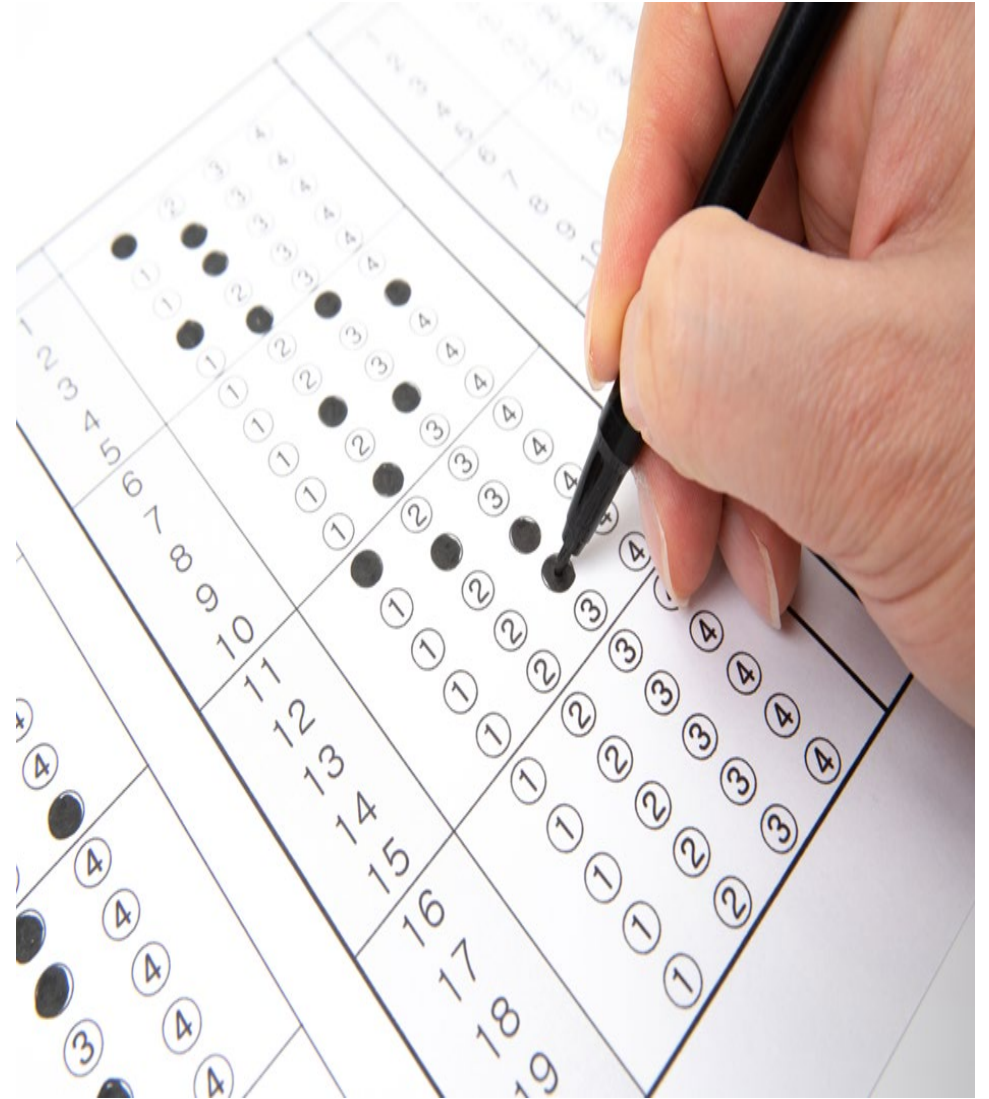
- + Continuous Monitoring: Regulations and requirements are always evolving.
- + Ongoing Updates: Curricula, disclosures, and determinations must be regularly reviewed.
- + Not a One-Time Task: Licensure compliance is a continuous operational responsibility.

The Research



About the Survey – Survey Details

- + 228 institutional responses
- + In-depth interviews conducted
- + Multiple sectors, sizes, and program types represented



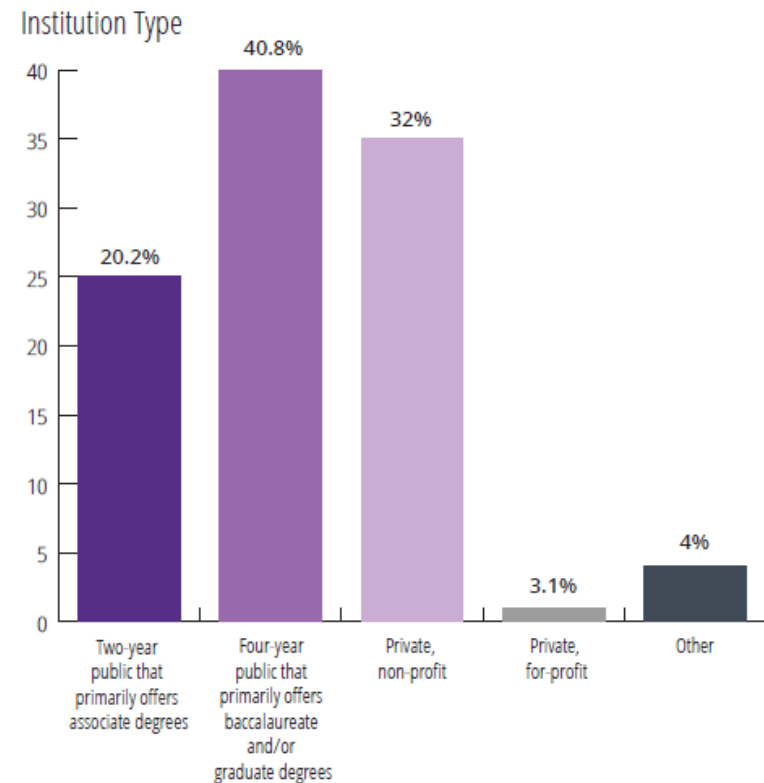
About the Survey – What We Wanted to Understand

- + Where is the workload coming from?
- + How are institutions managing workload?
- + What decisions/impacts resulted?



Findings Reflect Broader System-Level Trends

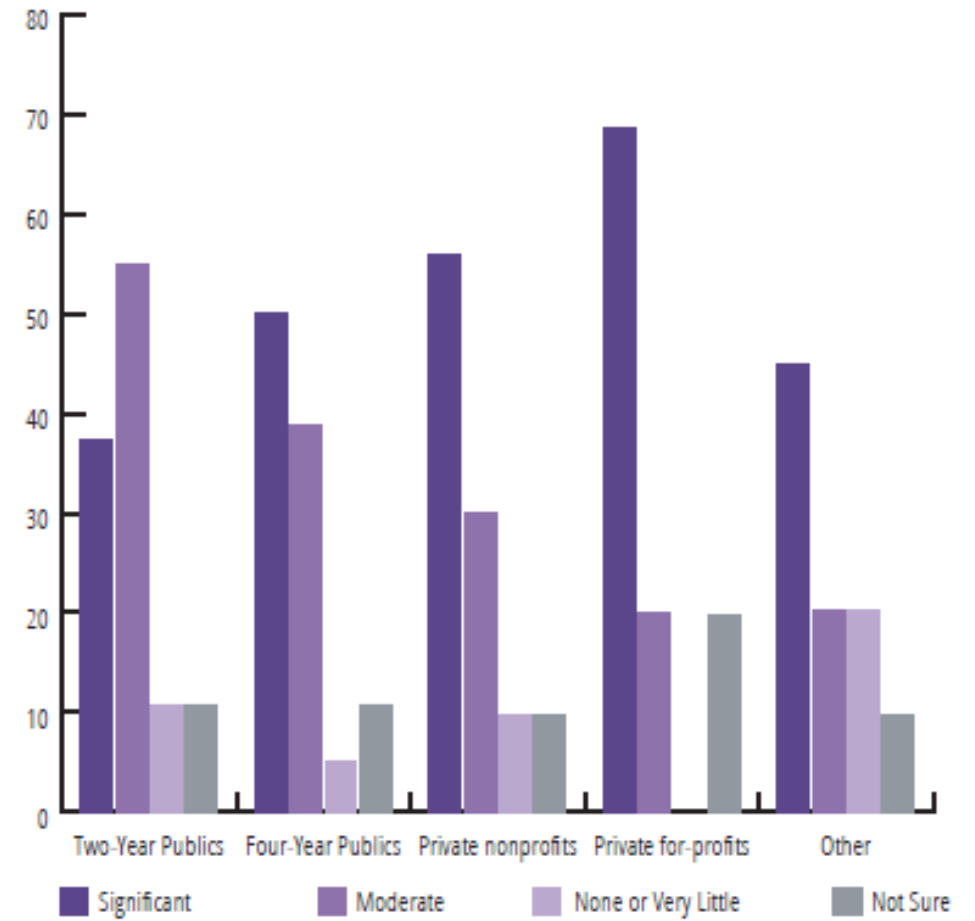
- + **Public institutions:** Two-year (20.2%) and four-year (40.8%) colleges and universities.
- + **Private institutions:** Non-profit (32%) and for-profit (3.1%) schools.
- + A small number of respondents (4%) represented unique institutional types, such as system offices overseeing multiple campuses, career schools, graduate-only or law/professional schools, vocational and technical programs, and specialized health-focused institutions.



Workload Is Shared Across Institutions—But Experienced Differently

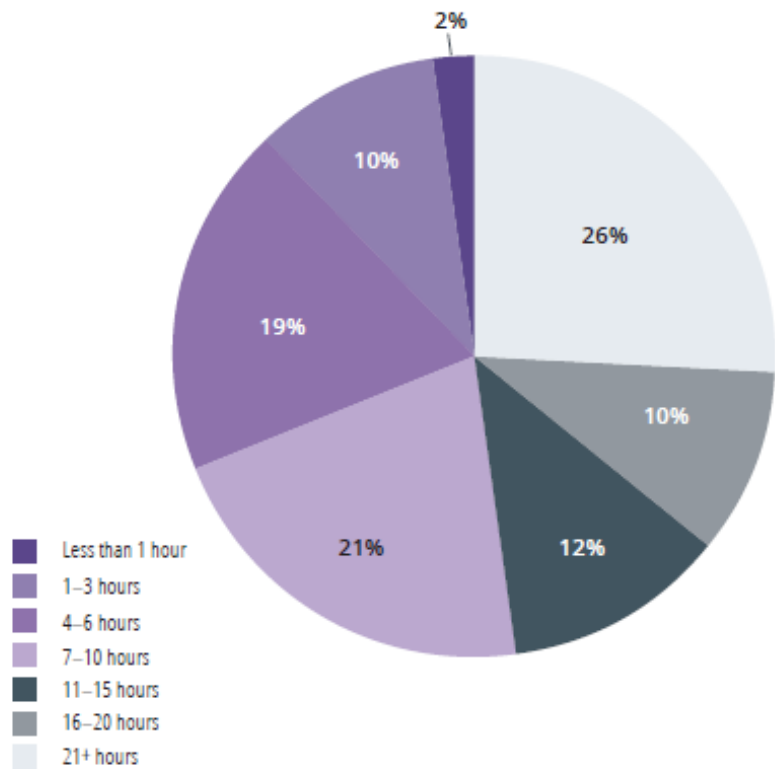
- + All types of institutions experienced increases, though to varying degrees. Private for-profits were most likely to describe a significant increase (68%), albeit with a small sampling size, while two-year publics most often reported moderate increases (54%)
- + A slight majority of all institution sizes reported a significant increase in workload compared to moderate or minimal change (with the exception of institutions with 1,000-2,999 students)

Perceived Workload Increase by Institution Type

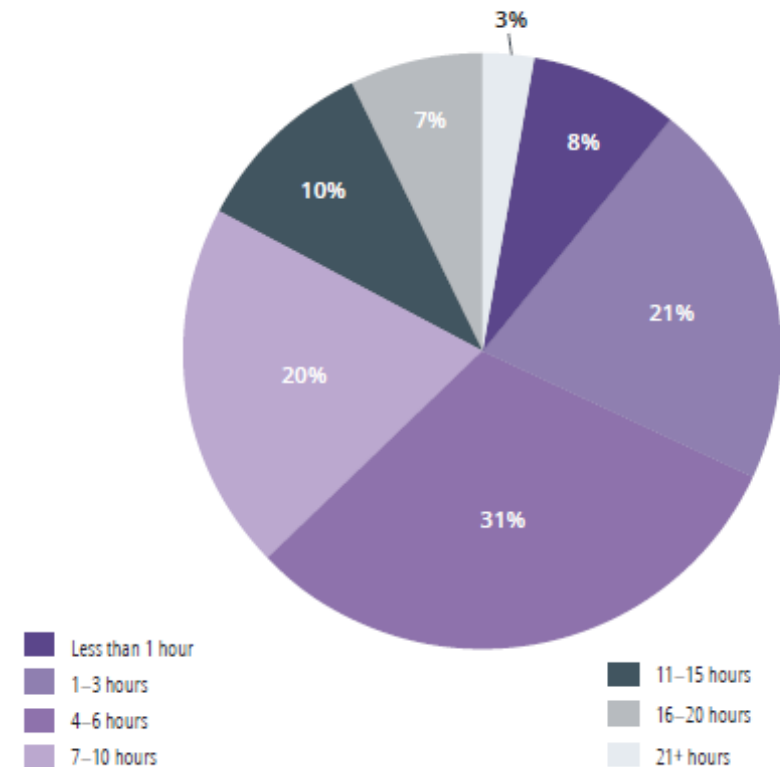


Workload Isn't Just About Volume— It's About Capacity

Hourly Reports by Institutions Reporting Significant Increases



Hourly Reports by Institutions Reporting Moderate Increases

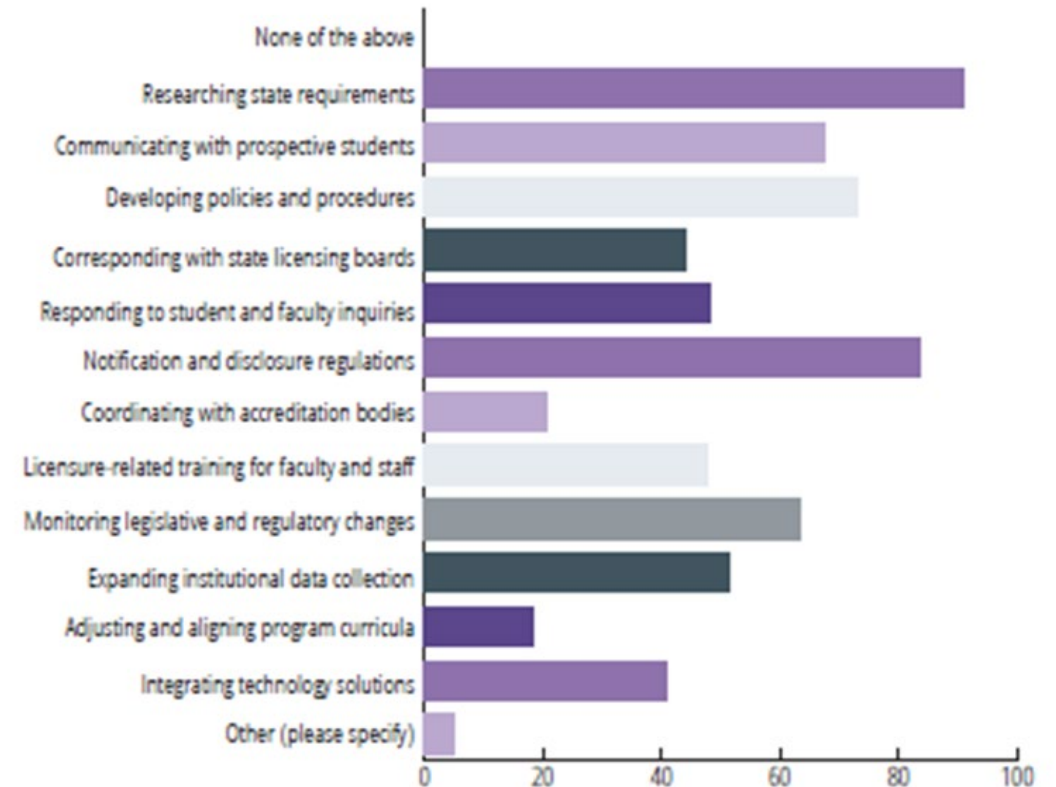


Far More Than Paperwork – This Is Complex, Interpretative Work

Top workload areas:

- + state research (90%),
- + disclosures (85%),
- + internal coordination & training (79%),
- + ongoing monitoring (63%),
- + data reporting (51%).

Compliance Workload Increase

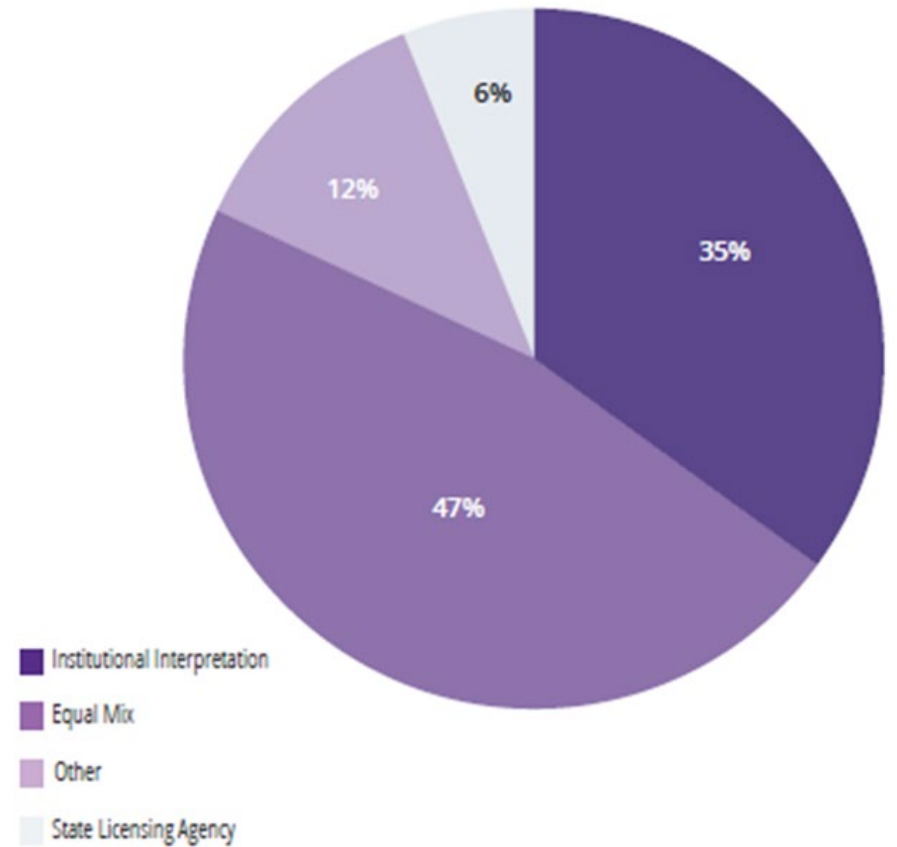


The chart shows areas where compliance workload has increased the most.

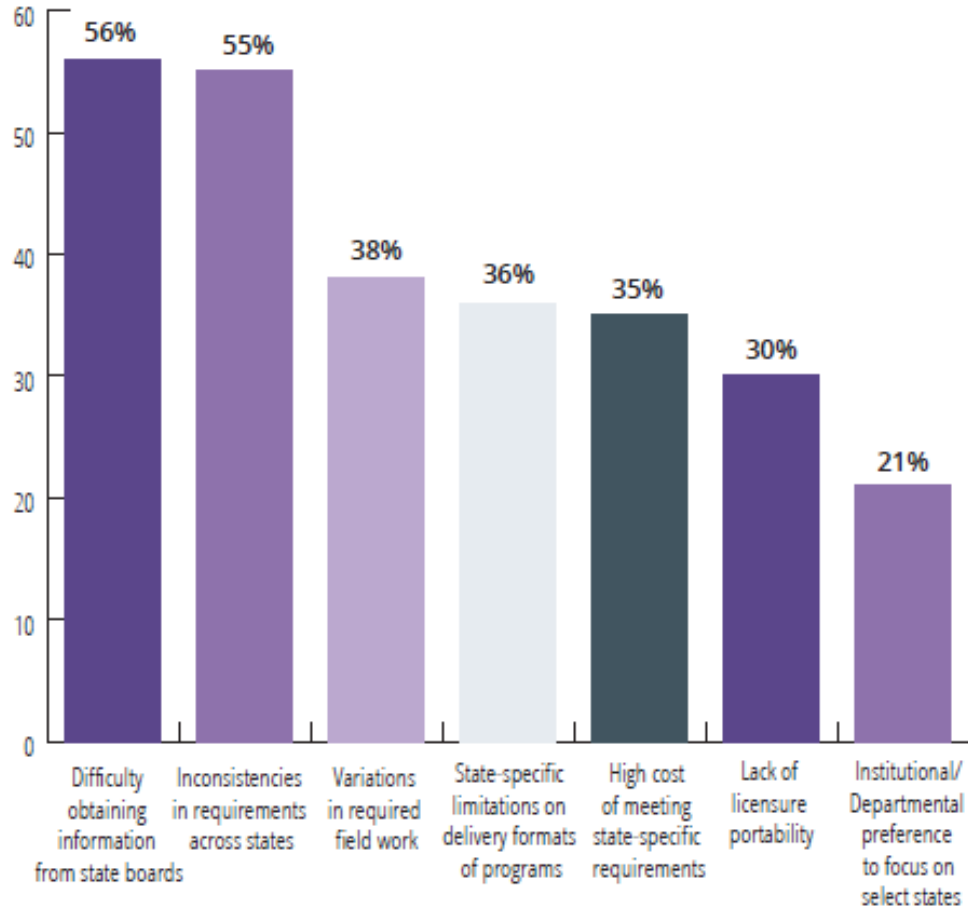
Institutions Are Making High-Stakes Decisions Without Clear Answers

- + Only 6% rely on direct confirmation from state licensing boards
- + 35% rely on their own interpretation
- + 47% use a mixed approach (internal interpretation + external sources)
- + The variability of institutional interpretations may create confusion for students and program completers.

Percent of Institutions Using Program Determination Method



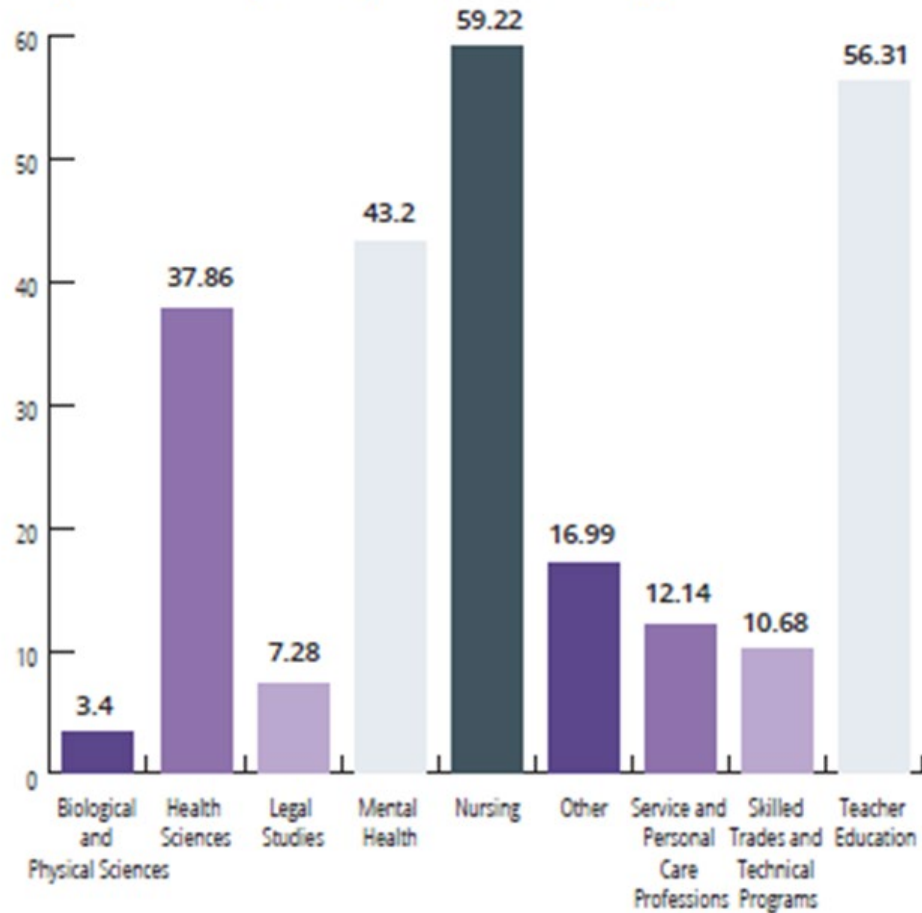
Reasons for Restricting Enrollment



Restrictions Often Reflect Gaps in Available Information

- + ~32% of institutions report restricting programs or states
- + The most common challenge (56%) was difficulty obtaining clear or updated information from state licensing boards, followed closely by inconsistencies in educational requirements across states (54%).
- + Over one-third of the respondents (35%) cited the high cost of meeting state-specific licensing board requirements.
- + Another 36% referenced state-specific limitations (particularly those restricting online or hybrid modalities)

Programs Most Impacted by Compliance Challenges

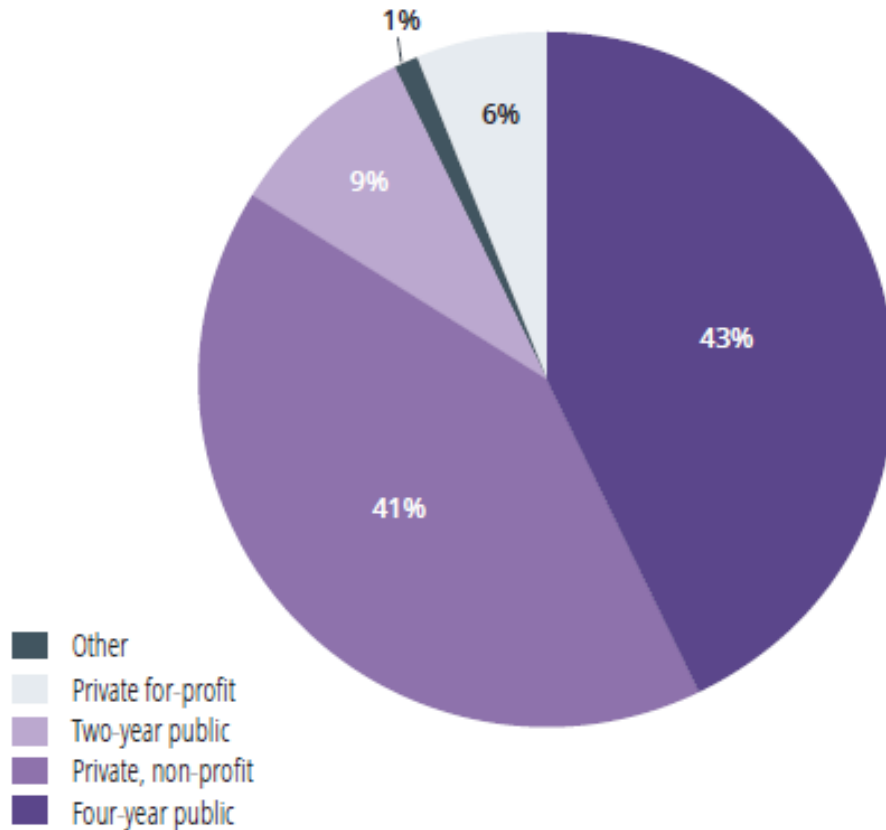


A Closer Look at Where Restrictions Are Occurring

- + ~32% of institutions report restricting programs or states
- + Most commonly restricted fields:
 - Nursing (59%)
 - Teacher Education (56%)
 - Mental Health (43%)
 - Health Sciences (38%)
- + Frequently restricted states include: California, New York, Texas, Washington, Colorado, Georgia, and Tennessee.

More Programs, More States – More Risk Exposure

Types of Institutions That Restricted Enrollment

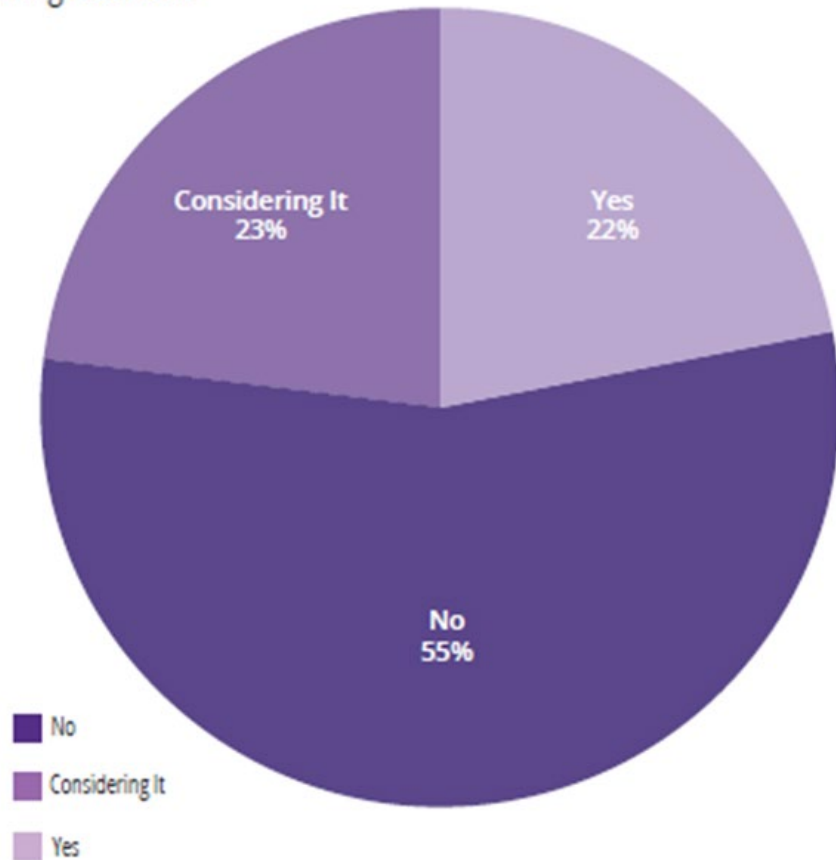


- + The largest share of institutions reporting enrollment restrictions were four-year public (43%) and private nonprofit institutions (41%).
- + Institutions implementing restrictions also tend to manage a large portfolio of licensure programs.
- + Of those who restricted enrollments, just over one-quarter of respondents reported increases of 16 or more hours per week. Another 52% indicated increases of 4-10 hours weekly.

Resource Disparities Drive Uneven Risk and Enrollment Decisions

- + Variation in staffing capacity across institutions
- + Differences in systems, tools, and internal resources
- + Divergent levels of risk tolerance in compliance decision-making

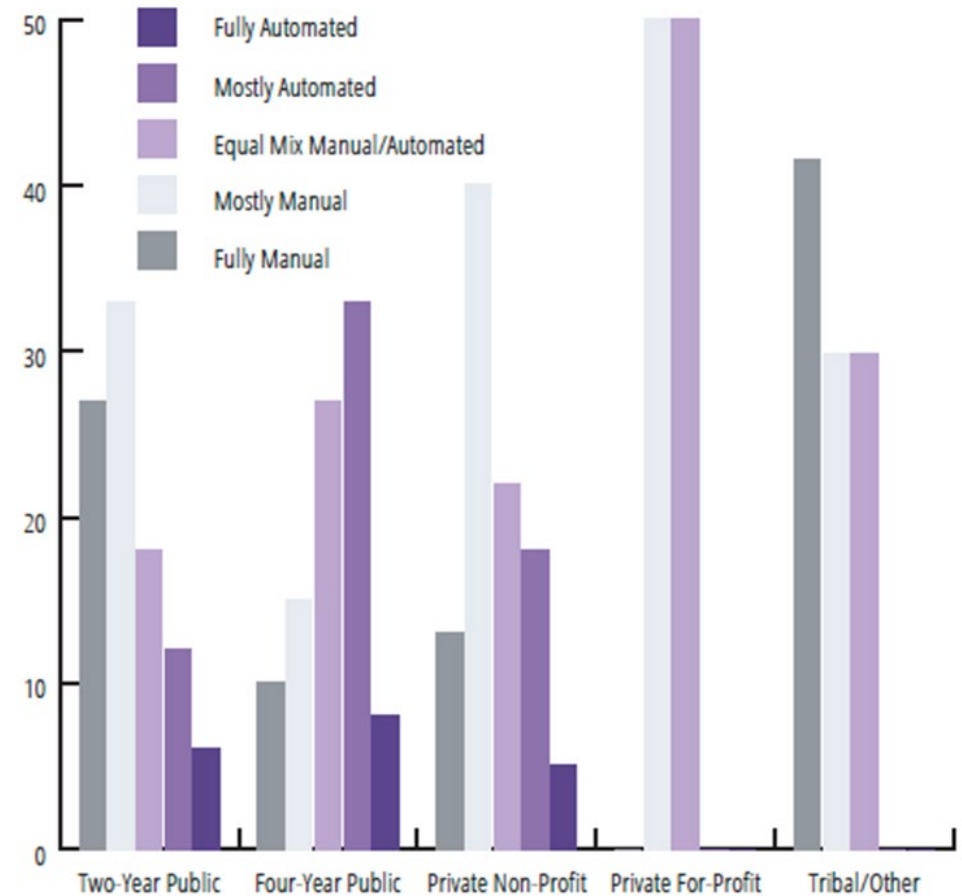
Hiring Decisions



Automation Helps – But Does Not Replace People

- + 4-year public institutions more likely to automate some or majority of processes
- + Private non-profits and profits more likely to use a mostly manual or combined process

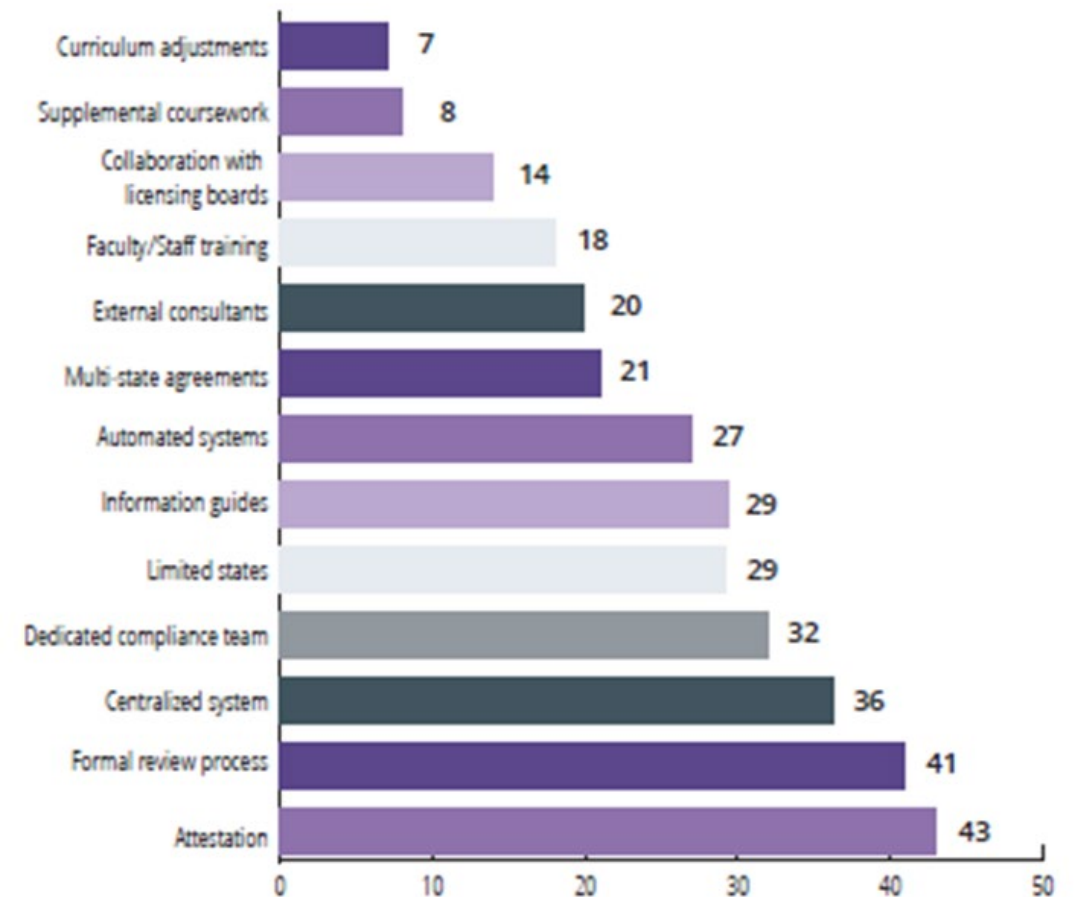
Level of Automation by Type of Institution



Institutions Are Building Systems Within Capacity Limits

- + 43% use student attestation processes
- + 41% regularly review and update licensure information
- + 36% rely on centralized documentation systems
- + Institutions also use manual + automated tracking systems and a range of internal workflows

Frequency of Institutional Response to Differing State Requirements



Insights from Licensing Boards



Licensing Agencies Left Out of Federal Rulemaking

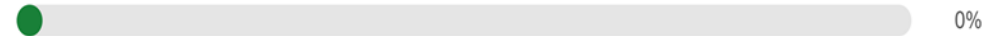
- + Licensing agencies were not directly consulted in developing federal regulations affecting professional licensure.
- + Limits alignment between federal policymaking and state licensure authorities
- + Highlights a need for stronger collaboration in the broad licensing community



Have you collaborated with the U.S. Department of Education to develop regulations relating to professional licensure that impact an institution's ability to serve students?

Multiple Choice Poll 23 votes 23 participants

Yes - 0 votes



No - 23 votes

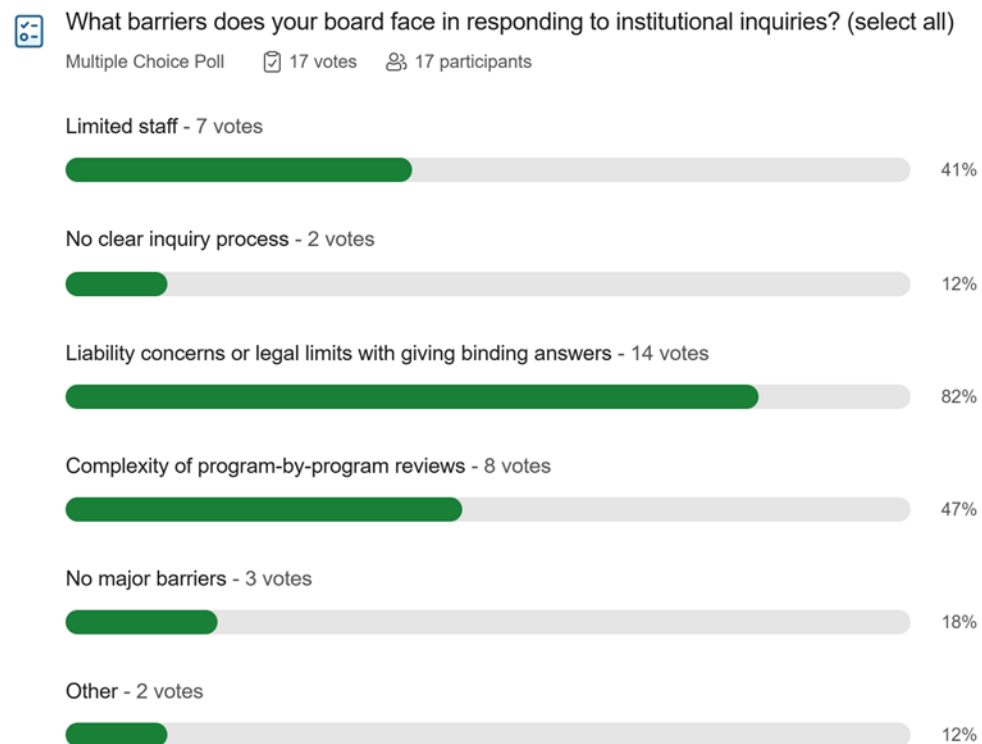


slido


Capacity Constraints and Compliance Risk Shape Board Responses

Key Pressures on Boards:

- + Competing demands: renewals, CE, complaints, background checks
- + High volume of institutional inquiries
- + Limited staff and subject matter expertise
- + Legal risk in providing compliance determinations

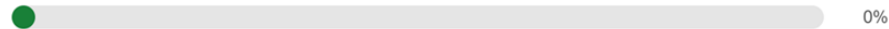


Institutional Understanding of Licensure Requirements Varies Widely

 In your experience, how well do institutions understand your state's licensure requirements when they contact you?

Multiple Choice Poll  18 votes  18 participants

Very well - 0 votes



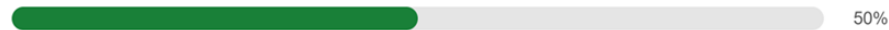
Somewhat - 5 votes



Not well - 4 votes



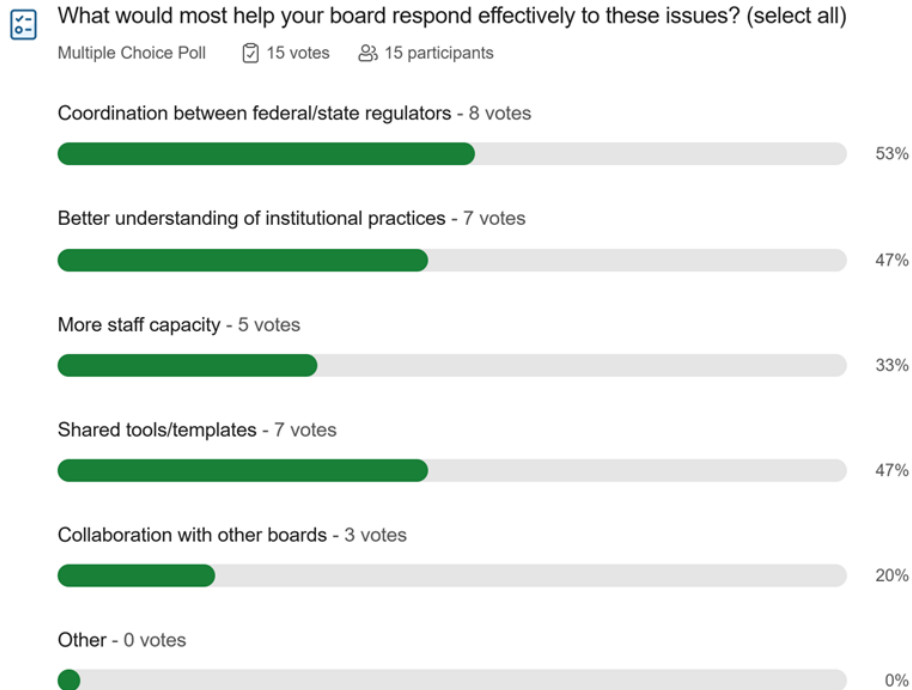
It varies widely - 9 votes



slido

- + 0% say institutions understand requirements very well.
- + 28% report some understanding; 22% report limited understanding.
- + 50% say understanding varies significantly by institution.
- + Highlights a clear need for guidance and education on licensure requirements.

What Supports More Responsive Licensing Boards?



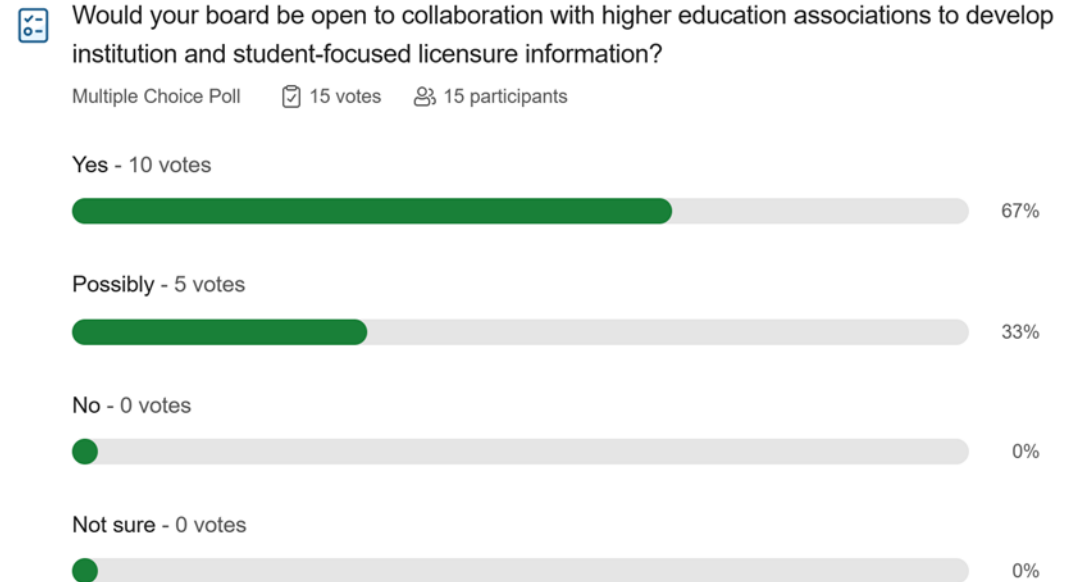
Top Needs Identified by Licensing Agencies:

- + Greater coordination between federal and state regulators (53%)
- + Better understanding of institutional practices (47%)
- + Shared tools and templates (47%)
- + Increased staff capacity (33%)
- + Collaboration with other boards (20%)

slido

Strong Interest in Collaboration with Higher Education Community

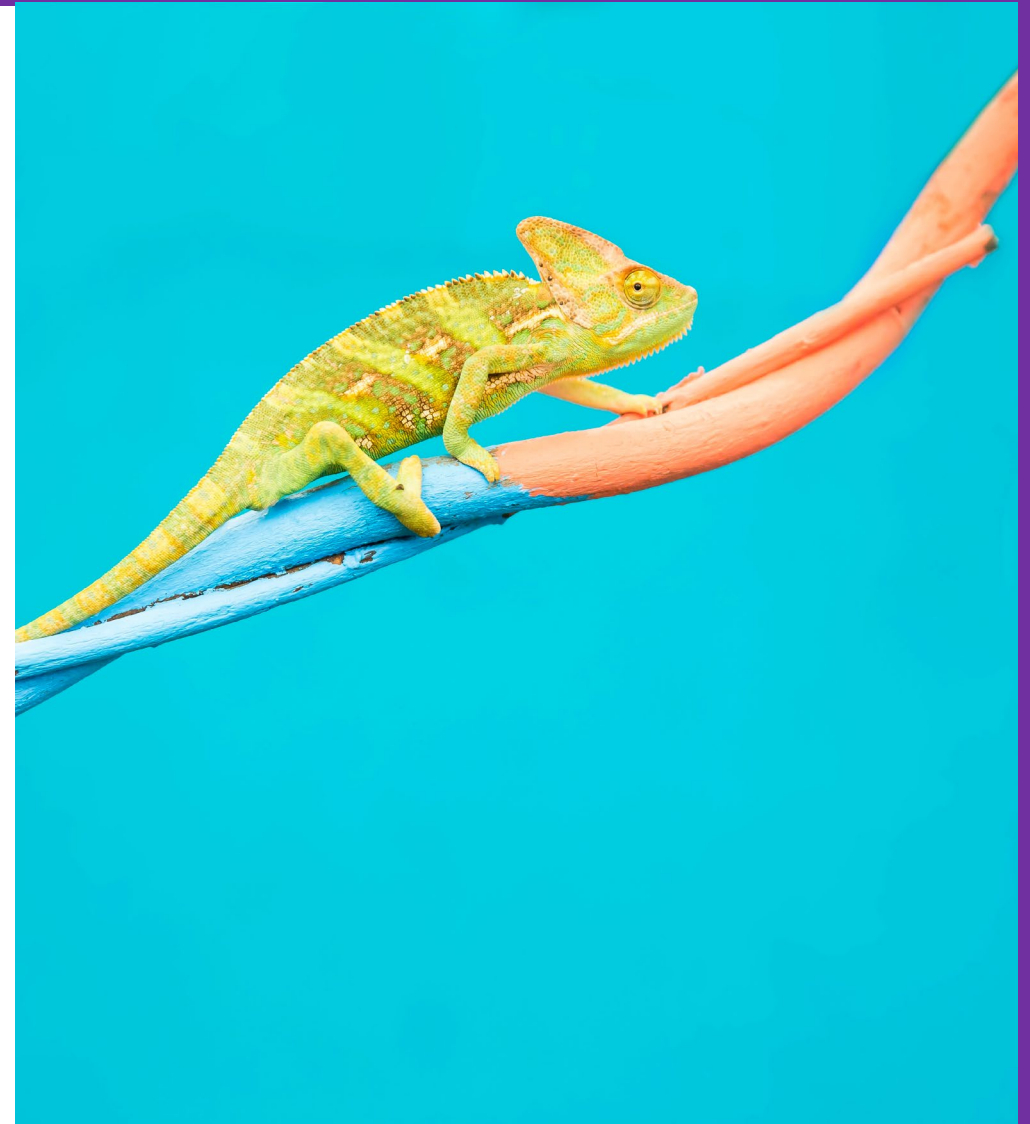
- + 67% are open to collaborating with higher education associations.
- + 33% indicated they would possibly collaborate.
- + Highlights collaboration as a pathway for meaningful opportunities for cross-sector engagement.



From Findings to Action



Using Data to Create Positive Impacts with Institutional Stakeholders



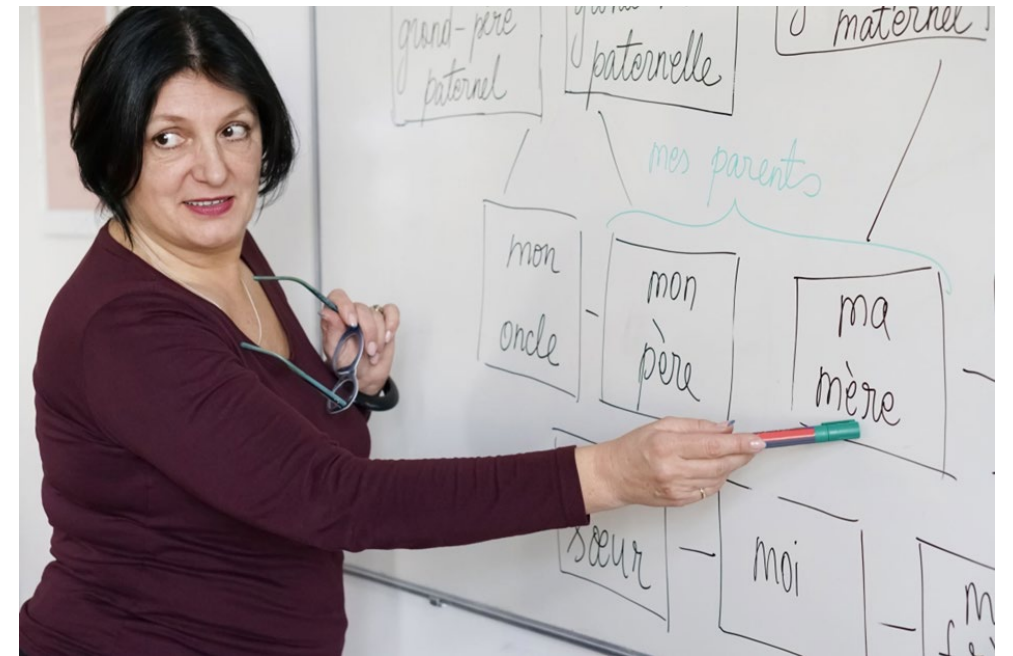
Working Across the Institution: Using Data to Coordinate Compliance Efforts

- + Cross-functional work: Compliance, Legal, Admissions, IT, Registrar, Academic units.
- + Requires coordination and defined roles.
- + Use survey data as a neutral starting point to show this is a shared, institution-wide responsibility.



Working with Academic Programs: Using Data to Influence Program Decisions

- + Use state variation data to explain why program requirements can change depending on where a student is located.
- + Connect compliance to real program decisions like admissions criteria, clinical/practicum placements, and student disclosures.



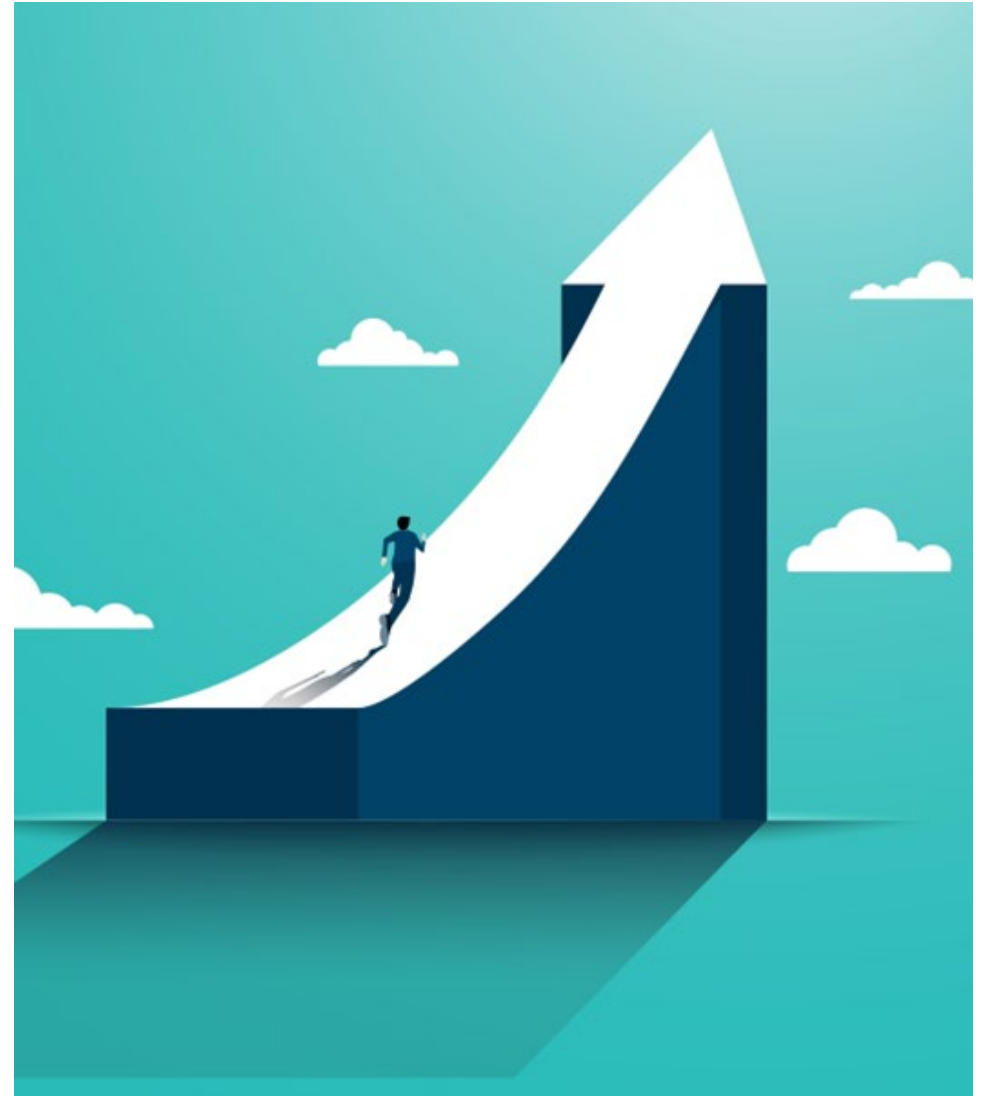


Why We Comply?

- + Fostering a culture of ethics and compliance is vital to all operations and activities
- + Helps all stakeholders to understand the nature of risks and potential exposures
- + Helps to identify and manage risks that impact the institution's reputation
- + Integrates the compliance program into the institution's risk management framework
- + U.S. Department of Education Requirement for Title IV programs.
- + Accreditation Requirements
- + Student Protections!

Promoting Compliance with Leadership

- + Cost of compliance vs cost of non-compliance
The easy way often comes with repercussions
- + Aligning compliance with strategic goals
- + Making them part of the accountability framework
- + Lead by example
Visible commitment
Open dialogue



Compliance Plan Essentials

- + A designated compliance leader, such as a compliance officer or a compliance committee
- + The establishment of effective lines of communication and collaboration
- + Written policies and procedures
- + Training and education
- + Monitoring and auditing
- + Enforcement mechanisms
- + An effective documentation strategy

Resource: [Creating a Compliance Program \(SAN Essentials\)](#)



Foundations for Sustainable Compliance

- + Building compliance systems that can adapt as regulations evolve.
- + Investing in people, training, and sustainable processes.
- + Communicating clearly and early with students.
- + Collaborating across campuses and with peer institutions.



Building Stronger Coordination Across the Regulatory Landscape

For Licensing Boards:

- + Publishing or expanding clear, publicly accessible guidance and FAQs.
- + Designating a central point of contact or inquiry channel when feasible.
- + Participating in periodic stakeholder dialogues with institutions and state agencies.
- + Collaborating with national organizations to promote consistency and information sharing.

For State Higher Education Agencies and State Portal Entities (SPEs):

- + Apply nuanced and informed reviews when evaluating compliance with SARA Policy Section 5.2.
- + Serve as connectors between institutions and state licensing boards.
- + Encourage cross-agency communication to clarify expectations.
- + Share best practices and guidance across states and SARA networks.

Advancing System-Level Alignment and Collaboration

For Accreditors (institutional or programmatic):

- + Recognizing licensure compliance as a complex, cross-functional responsibility.
- + Clarifying expectations for demonstrating compliance with licensing board requirements.
- + Encouraging institutions to document processes for disclosures and regulatory monitoring.
- + Fostering dialogue on alignment between accreditation and licensure expectations.

For the U.S. Department of Education:

- + Engaging state boards, institutions, and accreditors early in future rulemaking.
- + Considering the operational realities of multi-state compliance when drafting regulations.
- + Promoting coordination across federal and state agencies.

What We're Working Toward

- + Stronger understanding, coordination, and communication across higher education and licensure community.
- + More consistent and workable approaches across institutions, boards, accreditors, agencies, and policymakers.

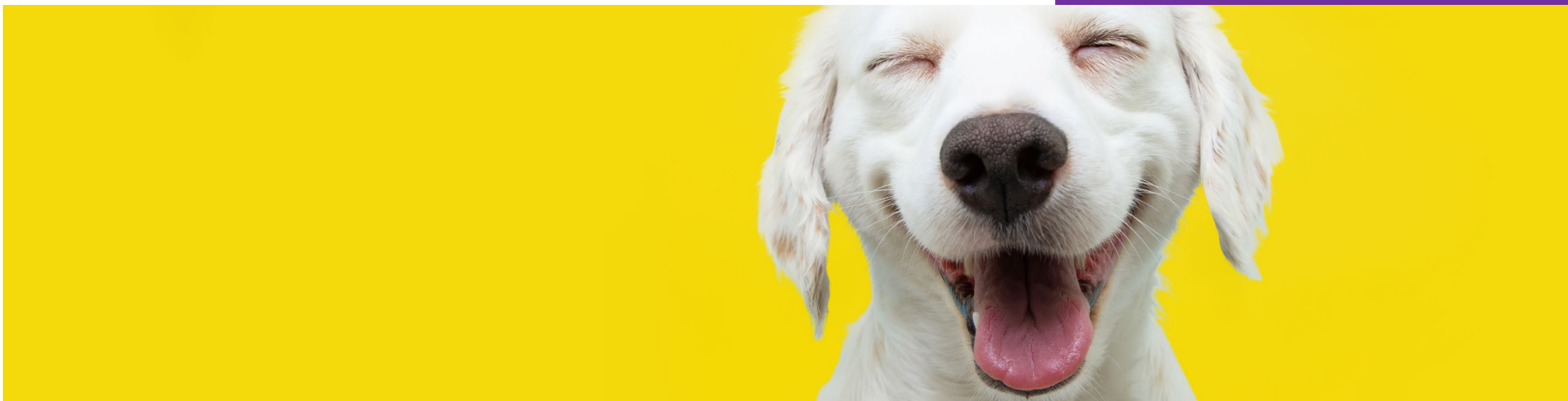


Resources

- + Survey Report - [Between the Lines, Behind the Work: Survey Findings on the True Scope of Licensure Compliance](#) (2026)
- + [Certifying Compliance in an Uncertain Landscape: Survey Findings on the Impact of Professional Licensure Requirements](#) (WCET Frontiers Blog)
- + [Nursing Program State-Specific Requirements Chart](#) (requires member login) - state-specific program responsibilities for institutions.
- + [More Than Disclosures: Understanding the State Oversight Layer in Nursing Program Compliance](#) (WCET Frontiers Blog)
- + Find SAN Professional Licensure Handbooks, Charts, One Pagers, and more on the [Getting Started with Compliance Management Gateway](#) webpage
- + [Special Interest Team for Professional Licensure prepared resources SIT Webpage](#)
- + [Professional Licensure Requirements Handbook 2nd edition](#) (2024)
- + [SAN Professional Licensure Landing/Issue Page](#)

Questions?





Thank You!!

Sarah Cheverton | cheverse@jmu.edu | <https://www.jmu.edu/online/>
Kathryn Kerensky | kkerensky@wiche.edu | <https://wcetsan.wiche.edu/>