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**Academic Affairs****COMPLIANCE WITH STATE REGULATIONS****Context**

Maintaining compliance with state, federal, and accreditor expectations is essential for maintaining the integrity and sustainability of the university's operations. Each state presently has different regulations governing its higher education institutions. Most states regulate higher education providers from other states, whether public or private, in some key areas, including faculty residence, internship placement, enrollment of students from the state in online offerings, recruitment in the states, office or information technology locations, and more.

Both the federal government and our regional accreditor, the Higher Learning Commission, expect that every institution complies with state regulations. Determination of what Ferris must do to comply with each state is constantly evolving, as state regulations change and as our enrollment and placement patterns emerge. For example, if we enroll a student from a given state in an online course, we may first need to be approved in that state. In another semester, we may not have individuals enrolled from that state. Similar concerns apply to faculty locations, internship assignments, etc. Note that Ferris has a separate policy and procedures already approved that addresses faculty locations. (Reference "Faculty Residency Requirement for On-line Courses, Domestic Travel Courses, and Internships," March 2014.)

The costs and/or complexities of the approval processes in some states will preclude the University's seeking these approvals, which will result in differential consideration of some of the above-named factors.

**Policy**

Federal regulations, specifically 34 CFR 600.9(c) and 34 CFR 668.43(b), and regional accreditors outline the expectations for higher education institutions to be compliant with regulations of states other than those where they are based. Each state has its own interpretations of what constitutes physical presence which results in the need for the university to consider each state independently. The University is committed to maintaining its compliance with all applicable state and federal policies and regulations related to the University's activities in each of the U.S. states and territories, as well as other nations, as relevant. The Office of Academic Affairs (OAA) will consistently monitor these requirements and regularly update its status related to the applicable factors. OAA will also regularly communicate with key university personnel and affected students on the status Ferris has with each state.

**Implications**

As a result of this commitment to compliance, there will be some states in which Ferris will not be allowed to enroll online students, place interns, or hire faculty. Other potential limitations include the ability to advertise and market our programs within that state, proctor exams in that state, or recruit students from that state. There will also be cases where special advising will be required with individual students who may need to meet different requirements or not be able to complete an internship in their home states, as examples. While the factors involved in state

regulation and compliance are many and varied, this policy addresses the three most significant issues impacting Ferris State: admissions to online programs; placement of interns; and hiring of out-of-state faculty.

### **Key Assumptions – identification of out-of-state students**

Any program or certificate which is available online will have a campus code of OL available for admissions purposes. For state reporting purposes, out of state students are determined based upon current enrollment in an online program or certificate and who have a local address in a different state.

### **Procedures**

#### **Communications with Key Stakeholders**

1. Effective August 10, 2014, the Office of Academic Affairs (OAA) will communicate with key Ferris constituencies the limitations existing at that time regarding enrollments, internship placements, or other state authorization variables. This communication will include a list of states where internships cannot be approved; where faculty cannot be employed; and/or where applications for online programs cannot be accepted.
2. This list will be maintained by OAA and saved in a central location for access by Ferris faculty, staff, and administration throughout the year.
3. Each semester, the colleges will be responsible for reporting via Banner all internship data for compliance and state reporting requirements. *See Internships section below.*
4. Extended and International Operations (EIO) is responsible for maintaining information on the <http://www.ferris.edu/online> website regarding authorization status and compliance issues for each state relative to prospective student online program enrollment. This information will include any state mandated information, including information on the university's ability to admit students and complaint procedures to be followed.
5. EIO is also responsible for communicating with students from key states where admissions or internships for online programs may be an issue. *See Monitoring Online Course section below.*

#### **Monitoring Online Course and Program Enrollments**

1. As students apply to online programs, the Executive Director of Online Learning (or designee) will communicate directly with the students if any limitations will be used for triggering particular letters for certain state enrollees. As examples, online students from Minnesota will have limitations on their choices of humanities courses in the general education curriculum; and students enrolling online from Maryland may not complete an internship there. Because each state is unique, each communication will need to be customized to the program and state requirements.

For those online program applicants for which an internship cannot be provided in the student's state of residence:

- a. The Executive Director will send an email to the student informing the student that internships are not available in that state and that the student should seek guidance from an advisor.

- b. The Executive Director will send a copy of the email to the program coordinator and advisor so they can begin to determine alternatives.
  - c. It will be the responsibility of the program coordinator or advisor to determine internship alternatives for these students, or to deny admission if alternatives are not possible.
2. If there are applications from a state in which we are not authorized for admissions, an email will be sent to the student informing them that at this time we cannot accept applicants from that state. A copy will be sent to the program coordinator and advisor. At that time, Off-Campus Admissions will also be notified, and Off-Campus Admissions will 'pc' (pending cancel) the student's application, so that the student is removed from our communication strategy to 'incomplete' applicants.
3. For those states where we have submitted an application for authorization, we will assume that we will be approved in that state and advisors and authors may communicate this expectation to students regarding either their admission or the availability of internships.
4. Any students who are flagged as being a resident of another state will have a special 'state authorization' code updated in Salesforce so any user of the system can confirm that the student had been notified of their special issues.
5. Some states may require different student affairs policies than is typical, such as a different refund policy. The Executive director of Online Learning will work with the Business Office and Financial Aid Office to provide information on any students who requires special handling outside of our typical policies due to these state requirements.

### **State Specific Refund Policies**

To the extent that any state requires a specific refund schedule for a total withdrawal from the University, Ferris will comply with those state requirements for our fully online programs. The Online Learning office is responsible for ensuring that the Registrar's office and Business Operations office are notified of any states with this requirement. These state requirements have been included in our normal withdrawal process in the following way:

1. When a student is completing a total withdrawal from classes after the beginning of the semester, the student is instructed to call the Ferris Registrar's office for processing.
2. The Registrar's office verifies student information (including current address) and verifies that the student is withdrawing from all classes. The Registrar's office then instructs the student concerning any implications for withdrawal, including refund percentages based upon withdrawal date.
3. If the student resides in a state which has a specific refund schedule, that schedule will be referenced in conversation with the student.
4. Upon processing the withdrawal, the Registrar's office will notify the Business Operations office that a specific refund schedule is required.
5. The Business Operations office will process the normal Ferris refund percentages, and then add in additional refund amounts until the state specific refund schedule is reached.

### **Internships**

1. Effective January 1, 2015, and continuing until this policy or procedure is changed, prior to committing to internship, clinical, or work experience assignments for credit in another

state, coordinators of these experiences will consult the latest state authorization status report or confirm with the Office of Academic Affairs whether the site can be approved, according to the state authorization status of the university.

2. Internships coordinators or program coordinators are responsible for communicating 'no internship state' information to students interested in internship opportunities.
3. Prior to the start of each semester, a reminder will be sent from the Office of Academic Affairs whether the site can be approved, according to the state authorization status of the university.
4. Each internship coordinator or his/her designee (or program coordinator in the event of no internship coordinator) will be required to enter the state of the internship placement for any non-Michigan placements in a Banner Field dedicated for that purpose not later than the end of the 10<sup>th</sup> class day of each semester. Late placements may be added when finalized, but would be an exception to the norm. This step is designed to assure accuracy of the university records and does not serve as the required review and approval process noted in item 1 above. Separate instructions are provided for this additional data entry requirement.
5. There will be some states where the University will determine that we may not place interns. In those instances, program coordinators and college leaders are encouraged to communicate with prospective internship sites the reasons why they will not have an opportunity to host Ferris interns and that their concerns should be addressed with their state regulatory agencies.

### **Reporting & Review**

1. Annually, the OAA will verify state requirements and note any changes requiring new submissions, annual renewals, etc. The OAA is responsible for payment of any state authorization fees. A list of states and renewal dates will be maintained.
2. Additional reports are available as needed through OAA for use in auditing Ferris compliance:
  - a. **Students applied or admitted to online programs:** A report by state listing admitted students for online programs, as well as students who had applied but were not admitted due to state authorization issues.
  - b. **Faculty teaching in online courses:** A report for all faculty teaching in online courses, listing the faculty member's state of residence, to ensure compliance with our out-of-state faculty hiring policy.
  - c. **Internships out of state:** A report of any students with internship experiences in a state other than Michigan.

### **Updates to Online Programs and Internship Locations**

1. Through its ongoing Senate and University Curriculum Committee process, the Office of Academic Affairs will assure that the Executive Director of Online Learning is provided with the names and detailed information about any new programs that are planned for delivery online, from certificates through graduate degrees. This notification will occur at the time that curriculum proposals are approved by the Provost's designee. EIO will then work with the college involved to include the program in the appropriate state updates.

2. As colleges determine needed changes to state authorizations to accommodate student internship needs, they will present the needs and rationale to the OAA, who will determine if a particular program and state should be added. At that time OAA will ensure that the program is included in planned state updates.
3. Upon approval that state authorization should be sought or updated for any programs (either for internship placements or for delivery to online students), the Executive Director of Online Learning and the VPAA's office will jointly work towards submission of the appropriate documentation to the states necessary. Updates will typically be submitted to states no more than twice a year, to allow Ferris to combine changes into one change application where possible. Department and College personnel are responsible for providing appropriate documentation needed (such as course syllabi, faculty credentials, etc.) so that Ferris is able to seek approvals in a timely manner.