

Q&A

The following are questions that were submitted during the recent NASDTEC Webinar co-hosted by AACTE and NASDTEC.

Questions not addressed during the webinar

Why not create national certification as the only type?

Occupational licensure is a state responsibility, not a federal responsibility. Each state creates their own licensure requirements based on the norms, mores, and desires of that state, allowing for control of that license in issuance of meeting the standards and, in the event that someone violates those requirements, the revocation. State laws vary and what may be illegal in one state leading to a revocation, may not be illegal in another state (e.g., legalization of recreational marijuana).

This is why the Interstate Teacher Mobility Compact (ITMC) was created. It maintains state sovereignty while allowing for a teacher holding a qualifying license in a member state to be issued an equivalent, or close to equivalent license in another member state.

So if I pay for NASDTEC associate membership, will I then access to the Certification Data Map that will help us know the requirements for other states?

NASDTEC Members can access the NASDTEC Knowledge Base which contains licensure information.

More information on membership can be found at <https://www.nasdtec.net/page/Membership>

NASDTEC recently completed surveying EPPs and Licensure Agencies as to what information needs to be included in the updated Knowledge Base to meet the needs of both the State Authorization Reciprocity Agreement (SARA) and the new rules by the USDOE. The information collected is being incorporated into the Knowledge Base now.

How do I know if my institution/state is a member of NASDTEC?

You can email support@nasdtec.org, give your name and institution and we will respond letting you know if your institution is member and who your point of contact is, or we will let you know how your institution can join.

The interstate agreement is different than an interstate compact?

Yes. The NASDTEC Interstate Agreement is an agreement between state licensing agencies designed to assist them. All 50 states are members of the NASDTEC Interstate Agreement.

The Interstate Teacher Mobility Compact (ITMC) is designed to assist the teacher who holds a license in a member state that meets the compact requirements and assist the receiving licensing agency in another member state. The ITMC requires state legislative action in order to join.

Here are the primary differences.

NASDTEC Interstate Agreement

- Managed by NASDTEC Executive Board
- Informal Agreement
- Non-enforceable
- Varies by state to the degree of enforcement
- No required sharing of license information
- No alignment of licenses
- Does not improve teacher mobility
- Primarily supports state licensing agencies

Teacher Mobility Interstate Compact

- Managed by each participating jurisdiction
- Contractual Agreement
- Process for enforcement
- Adopting jurisdictions agree to uniformity of implementation
- Alignment of all licenses under the compact
- Supports both teacher mobility and state licensing agencies

I'm confused about how an institution can verify that their program meets another states requirements when it is not actually up to the institution to decide. It would be the state providing licensure not the institution. Why is this not a state vs an institution focus as most institution EPP programs are first approved by their state (unless I am mistaken).

As explained in the Department's final rule, the Department has determined that the institutions should be the ones to work with States to determine if their programs have the necessary requirements for licensure or certification since they know their content and curricula. Currently, the burden is on individual students to determine whether a program will allow them to work in their profession. As institutions receiving significant Federal resources to administer the aid programs the responsibility should be on the institution to ensure that programs being offered to provide students licensure meet the intended goal.

Will there be an FAQ for this specific topic? Would you share a link when it is available?

Yes. FAQs will be posted here: [OPE Guidance Documents](#). We can share a link with NASDTEC when available.

Given that teacher education is already highly regulated (nationally and by each state), is there evidence that this has been an issue?

As noted in the final rule, since previous regulations were put in place, the Department has approved multiple borrower defense to repayment for programs that made promises or claims about State approval that were not true.

Is there any data source for complaints where students earned a degree that did not lead to a credential? Where do these complaints arise? How many have there been? What is the breakdown by discipline?

There is no public data available.

If out of state online students don't know/don't declare where they intend to teach are we still required to provide them with lists of meet/does not meet states?

Before a school enrolls a student from a particular State into an *on-campus* program, the school must ensure that the program meets all licensure requirements in the State in which the institution is located. The school must also disclose to that student whether it has made a determination regarding whether the program meets licensure/certification requirements in the State where the student is located at the time of initial enrollment in the program. For a program offered through *distance education or correspondence courses* in a different State than where the institution is located, the institution must determine that the program meets the licensure/certification requirements in the State where each student is located at the time of initial enrollment in the program or where the student attests they will live. If such determination is not made or if the institution has determined the program does not meet such requirements, it should not be advertising the program to students located in that State or enrolling them into the program.

Once EPPs make the determination about the program meeting a state's requirements, what is the expectation for how current this determination needs be? As states regularly change requirements, how do we keep current with those changes? Can this be an annual project for EPPs or does it need to be more frequent than that?

The Department understands that licensure requirements may change. In these instances, we would not expect institutions to immediately discontinue programs for existing students when requirements change. However, we would expect the institution to be aware of them as they occur and come into compliance with the new requirements in short order or cease enrolling new students in that program. Institutions should reach out to the Department when such situations arise for additional guidance.

Have you considered how many schools will simply stop offering programs to out of state students? That's where the conversation currently is at my institution.

Yes, the Department did consider that some programs may be unwilling to take the necessary steps to protect students against wasted investments and may choose to make these programs not eligible for Federal aid. The Department determined that the benefits are outweighed by the costs.

Is there a clear definition about what "meets" means? If your EPP meets most requirements and someone can get employed but still has requirements to complete to meet "tenure" in that state that can be completed while they are employed as an educator, would that "meet" or "not meet" the licensure requirements for that state?

The Department would need specific information on what would be required for completion in order to determine that a program meets requirements. As mentioned in the final rule, the Department is concerned that any program that leaves students shy of obtaining licensure means added costs for students and a barrier to license and certification. The Department would consider a program to meet the requirements if the student is able to obtain a license in their State through reciprocity. Such situations would be acceptable provided the license a student obtains through reciprocity allows them to immediately work in the State covered by the requirements in 34 CFR 668.14(b)(32). This could include both a full license as well as a provisional one. For example, an acceptable situation is a student being able to work in their State or immediately sit for an exam with a provisional license while completing their State specific course(s). The Department's rule does not consider tenure requirements, only licensure and certification.

What if we offer online programs but limit enrollment to in-state residents?

For a program offered through *distance education or correspondence courses* in a different State than where the institution is located, the institution must determine that the program meets the licensure/certification requirements in the State where each student is located at the time of initial enrollment in the program or where the student attests they will live.

I'm still confused as to what we need to do to meet the July 1 deadline. Can someone clarify that please?

Determine that for any State where the institution is enrolling students, the program meets the licensure requirements in that State. This may include through a reciprocity agreement or where a student is eligible to sit for the exam for licensure.

Do I need to submit something? Or just take the actions regarding our program meeting the requirements?

The Department will have more information on how institutions should indicate they meet the requirements in the near future.

Several of our online programs serve high poverty, remote, and rural areas where students may not be able to attend institutions in person. These same institutions also have limited resources as well because they offer very affordable tuition. Are we disadvantaging these students and then institutions that are offering online programs to help these students as these programs will need to raise tuition to now verify each endorsement and program meets each state for these students?

If an institution is enrolling students in a given State, it is required to determine that the program allows a student to receive licensure in the State in which they live. Postsecondary education programs are significant investments for students, which can easily cost into the thousands or tens of thousands of dollars. When any student, and particularly a low-income student, attends a program that is tied to a profession that requires licensure or certification, they should have a reasonable expectation that the Federal government will only allow them access to a program that will allow them to meet their professional goals.

Accreditation Questions

What role can Accreditation such as CAEP or AAQEP play?

If a State requires a program to have specific programmatic licensure, these agencies can help ensure the program meets the requirements. The Department cannot speak to the role these agencies may play beyond these specific requirements.

Is it something that will impact our assessment and accreditation or our Title II/ AIMS yearly reports? If so, how and what additional information will we be required to share with the different agencies?

It should not but would be up to the agency to decide.

Can you also comment on the language in the regulation regarding accreditation? Accreditation is typically related directly to state teacher standards.

Where a State requires specific programmatic accreditation in order for a student to become licensed, the institution is responsible for ensuring it has the necessary accreditation in order to serve students in that particular State.

Just re-upping my question on accreditation. It is state-specific, so how can EPPs verify their accreditation in other states -- or do you really mean state approval?

We were referring to State approval.

Questions addressed during the webinar (in case you missed the response)

Does CDE (or other national body) have a list of states that provide reciprocity for educators produced in equivalent teacher preparation programs?

NASDTEC has the NASDTEC Interstate Agreement (Not to be confused with the Interstate Teacher Mobility Compact). All 50 states are part of the NASDTEC Interstate Agreement. However, each state retains the right to require state specific requirements.

Would it work for institutions to determine and communicate what additional requirements the candidate may need to meet to meet their residential state requirements?

Not if those additional requirements included additional courses a student would be required to take before being eligible for employment.

Is membership institutional or individual?

If you are referring to NASDTEC membership, it is by EPP. Each EPP receives 25 accounts and it is \$500 annually. IT is called an Associate membership and you can read more at <https://www.nasdtec.net/page/Membership>

What if not all states have updated the information in what sounds like a great NASDTEC database? Basically, will the information be reliable? Because if an EPP uses and then gets in trouble.

Institutions should research state/territory laws, regulations, and rules to determine what the educational requirements are in each state/territory where prospective students are located. While the NASDTEC database (and similar resources) are very helpful, it is important that primary sources such as the laws, certification/licensing board or office website, and application materials are all reviewed.

As part of the NASDTEC Knowledge Base update, state licensing agencies will have the ability to update information as changes occur within their respective states.

How does this work for institutions that don't have online programs, what if candidates attend out of state programs in person?

The commentary ED released with these final regulations in October indicates that a face-to-face, campus based prospective student can be treated as if they are located on the campus at time of initial enrollment in the licensure programs. Keep in mind that if a student will be taking one or more courses through distance education (online or otherwise), ED has indicated that they should be treated as a distance education student for these purposes. And under the new

PPA Certification regulation, institutions must certify that the program meets educational requirements where the distance education student is located.

Is there a specific document that I need to complete and submit by July 1? And if so, where do I find this document? I'm new to my role and this is the first time I'm hearing about this.

I am not aware of a specific document. Institution will need to certify through the Program Participation Agreement (PPA) that the programs meet educational requirements where the institution is located and where distance education students are located (or attest to seek licensure/employment in "meets" state after completing the program)

Does this requirement pertain to private and faith based institutions?

Any institution that receives Federal student aid.

Where will the FAQs be posted?

They will be on the Department's website.

Two questions: Can someone provide the link to the federal register and these new regulations? Also, for ed prep how are these new regulations unique to requirements that are already outlined in NC-SARA? I'm not making the connection.

The discussion responding to public comments starts here:

<https://www.federalregister.gov/d/2023-22785/p-1175>

The regulatory text from the Federal Register is here: <https://www.federalregister.gov/d/2023-22785/p-1855>

The regulations won't be updated until they are in effect.

On NC-SARA, it is not related. Their policy manual explains that SARA policy does not apply to licensure.

If the issue lies with some EPPs being dishonest with their students why not focus on addressing those institutions directly rather than changing the requirements for everyone? If 5% of our EPPs are the problem then why do the requirements need to change for the other 95% that are meeting the requirements?

These new rules apply to all programs that prepare students for licensed/certified occupations, which is much broader than education.

Is the requirement that we meet the residency associated where the student currently resides, or where the student plans to teach? Most of our candidates do not know where they will teach and could be going to any state where they can get a job that is appealing to them.

It is where they live or, if they attest that they intend to teach in another state, that state.

For the issue of courses required in other states, EPPs often cannot offer those because they must be taken within the state or by an approved provider. SD is an example of this as they require teachers to take a "SD Indian Studies" course with an approved, in-state provider. However, those out-of-state program completers can obtain a shorter-term SD license while they complete those extra SD-required courses. Is that sufficient to meet the requirements for licensure in the preferred state?

ED provides an example very similar to this in the commentary released with the final regulations. With the example, ED indicates that it would be reasonable for an institution to consider that their program meets educational requirements in this scenario.

Is this only applicable to fully online programs? If we offer blended or face to face programs, are we still under this regulation?

This applies to all Title IV eligible programs of all modalities.

This is large scale proposal that hundreds of EPPs each review all state requirements, potentially coming to different conclusions based on often ambiguously worded licensure regulations in each state. It would be much, much easier and more accurate if we could access accurate and accessible summaries of each state's requirements.

I agree, this would be very helpful! Higher Education Licensure Pros offers an online database of educational requirements for over 70 license types—The Bookmark. You can find more information on our website: www.higheredlicensurepros.com

NASDTEC Members can access the NASDTEC Knowledge which contains licensure information.

More information on membership can be found at <https://www.nasdtec.net/page/Membership>

NASDTEC is currently surveying EPPs and Licensure Agencies as to what information needs to be included in the updated Knowledge Base to meet the needs of both the State Authorization Reciprocity Agreement (SARA) and the new rules by the USDOE. You can complete the survey at: <https://www.surveymonkey.com/r/7GNBC68>

If a student lives out of state, but indicates that they want to teach in the home state where the institution is approved, can we service the student or do we still have to guarantee that they meet the requirements in the state where they live while taking coursework?

If the student will take one or more distance education classes during their first term of enrollment, you would need to be able to certify that your program “meets” educational requirements in the state/territory they are located at initial enrollment into the licensure program.