Program Integrity: Department of Education Announces Delay in Implementation of State Authorization Regulations

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On June 24, 2014, the Department of Education announced another one-year delay to July 1, 2015 for the implementation of federal regulations impacting college and universities that offer at least 50% of an educational program in a state outside of its primary location. The purpose of the regulations are to establish certain minimum standards for how a state approves colleges and universities operating within its borders. The Department states that it has provided this further extension "for institutions of postsecondary education whose State authorization does not meet the requirements of these regulations by July 1, 2014, so long as the State is establishing an acceptable authorization process that is to take effect by the delayed implementation date." The state authorization regulations at issue do not affect institutions providing distance or online learning to students in other states without a physical presence; the Department is in the process of rewriting regulations applicable to such institutions.

Client Tip: *Institutions offering educational programs outside of their primary location should carefully review state registration requirements in each state where they operate to ensure compliance. In addition, institutions offering distance learning should be aware that, even in the absence of a pending federal rule, many states still require registration.*

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