



## CAMPUS COUNSEL

A legal blog written for administrators, HR professionals, in-house counsel, and deans at colleges and universities

### Department of Education Proposes New Regulations for Online and Distance Education Programs

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On July 22, 2016, the U.S. Department of Education proposed regulations to improve oversight of online and distance education programs at degree-granting institutions, according to a [department news release](#).

The proposed regulations clarify state authorization requirements for online and distance education programs to participate in federal student aid programs. For example, institutions that offer online courses would have to be authorized by each state in which they enroll students, if the states require such authorization. The new regulations aim to close a “loophole” in which online and distance education providers enroll students in states where the institutions are not located, and instead regulates these institutions in a manner similar to their brick and mortar counterparts.

Under the proposed regulations, institutions would be required to document how they process and resolve student complaints about distance education classes. Institutions would also be required to make public and individualized disclosures to enrolled and prospective students in distance education programs, including adverse actions taken against the school, the school’s refund policies, and whether each program meets applicable state licensure or certification requirements.

**Client Tip:** *The full text of the proposed regulations can be found [here](#). The Department of Education will accept public comment on the proposed regulations until August 24, and it expects to issue a final version before the end of the year.*