



Board of Peace Officer Standards and Training

1600 University Avenue, Suite 200, Saint Paul, MN 55104

Main: (651) 643-3060 | www.mn.gov/post/

BOARD MEETING AGENDA

January 23, 2025

10:00 a.m.

This meeting will be held at the MN POST Board, 1600 University Ave, Ste 200, St. Paul, MN 55104

1. Call to order.
2. Approval of the agenda **ACTION.**
3. Approval of the minutes from the November 7, 2024 Special Board meeting (attachment) **ACTION.**
4. R4850 Update - rule project on Board order completed.
5. 6700.0501 reciprocity rule changes **REVIEW/ DISCUSSION.**
 - a) Rough draft SONAR except attached to explain changes.
 - b) Memo from US Department of Education included as exhibit.
6. Variance request - Colton Blue (attachment) **ACTION.**
7. Variance request - Helilamah Morin (attachment) **ACTION.**
8. Executive Director report.
9. Licensure matters (closed to the public) **attachment(s) sent separately.**
10. Licensure hearing - Siebsen.
11. Deliberations - Siebsen (closed to the public).
12. Adjournment.



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SPECIAL BOARD MEETING MINUTES

November 7, 2024

Members Present

Chair Luke Hennen
Andrew Evans
Bobbi Holtberg
Jason Bennett
Jennifer Foster
Jim Yang
Justin Terrell
Kelly Phillips
Nigel Perrote
Scott Kent
Shelly Schaefer
Stephanie Bura
Stephanie Revering
Tad Farrell
Tanya Gladney
Troy Wolbersen

Staff Present

Alicia Popowski
Angie Rohow
Erik Misselt
Katie Cederstrom
Michelle Haggberg
Mike Monsrud
Sarah Zastrow
Schyler Beaty
Shari Bartness

Members Excused Absence

Shawn Williams

Counsel Present

David Cullen, A.G. Office

Others Present

Rick Hodsdon, MN Sheriff's Association
General Counsel
Delia Samuel, Multicultural Autism
Action Network (MAAN)
Ava Roots, UMN Student & Advocate
Khulia Pringle, Solutions Not Suspensions
& S.T.A.N.D Up MN Parents United
Roger New, Eagan Police Chief and MN
Chief's Association
Rudy Perez, NASRO Past President and
Golden Valley Police Assistant Chief

1. **Call to order:** Chair Hennen called the meeting to order on November 7, 2024 at 9:59 a.m.
2. **Approval of the agenda:** Chair Hennen asked for a motion to approve the agenda.
 - **MOTION:** Mr. Evans made a motion to approve the agenda. Ms. Holtberg seconded the motion. The motion was approved via unanimous voice vote.
3. **Approval of the Board meeting minutes on October 24, 2024:** Chair Hennen asked for a motion to approve the October 24, 2024 minutes.
 - **MOTION:** Chief Kent made a motion to approve the minutes. Chief Revering seconded the motion. The motion was approved via unanimous voice vote.
4. **Comments regarding proposed SRO Policy:** Assistant Executive Director, Michael Monsrud provided a summary of the development of the SRO policy. The following speakers were given a few minutes to provide their comments to the Board:
 - Rick Hodsdon, MN Sheriff's Association General Counsel

- Delia Samuel, Multicultural Autism Action Network (MAAN)
- Ava Roots, UMN Student & Advocate
- Khulia Pringle, Solutions Not Suspensions & S.T.A.N.D Up MN Parents United
- Roger New, Eagan Police Chief and MN Chief's Association
- Rudy Perez, NASRO Past President and Golden Valley Police Assistant Chief

5. Review of proposed SRO policy: Assistant Executive Director, Michael Monsrud-spoke about the policy needing to be in place by 12/31/24.

Mr. Evans acknowledged the work that went into the development of the SRO policy and extended his appreciation for the public speakers who attended the meeting. He also spoke about the policy being a starting point and welcomed feedback from the communities so that revisions can be made if deemed necessary in the future.

Discussion ensued on the suggested changes submitted by the League of Minnesota Cities, Solutions Not Suspensions Coalition, MSA and Minnesota Council on Disability.

6. Adoption of SRO policy:

- **MOTION:** Chief Revering made a motion for the SRO policy to include the language from the League of Minnesota Cities.
 - **WITHDRAWN MOTION:** Chief Revering withdrew the motion.
- **MOTION:** Mr. Evans made a motion to adopt the SRO policy that was presented by the working committee. Chief Kent seconded the motion. Motion was approved.
- **MOTION:** Dr. Schaefer amended the motion, to adopt the proposed SRO policy to include the language from the League of Minnesota Cities, Guiding Principles, Section E (4), Use of Force and to select option A. Chief Kent seconded the motion. Motion was approved via unanimous voice vote.
- **MOTION:** Dr. Gladney made a motion to adopt the second recommendation from League of Minnesota Cities.
- **MOTION:** Dr. Gladney amended the motion, to adopt the second and third recommendations from the League of Minnesota Cities. Chief Revering seconded the motion. Motion was approved via unanimous voice vote.
- **MOTION:** Chief Revering amended the motion, to accept the language under F of 1, 2 and 3 from the document submitted by the Sheriff's Association. Mr. Yang seconded the motion. Ms. Holtberg opposed the motion. Motion was approved via voice vote.
- **MOTION:** Chief Kent made a motion to accept the language from the MSA document under letter G, item 3. Revering seconded the motion.

- **WITHDRAWN MOTION:** Chief Kent withdrew the motion.
- **MOTION:** Mr. Bennett made a motion to accept the language proposed by the attorney for the Sheriff's Association under Section 4, E (3).
 - **WITHDRAWN MOTION:** Mr. Bennett withdrew the motion.
- **MOTION:** Chief Revering made a motion to adopt the SRO policy as amended. Chief Kent seconded the motion. Mr. Bennett, Ms. Holtberg and Mr. Perrote opposed the motion. Motion was approved via voice vote.

7. Review of SRO course learning objectives: Ms. Zastrow spoke about statute 626.8482 School Resource Officers; Duties; Training; Model Policy and the actions that are required by the MN POST Board by January 15, 2025.

Discussion ensued.

8. Adoption of SRO course learning objectives:

- **MOTION:** Mr. Terrell made a motion to adopt the learning objectives as defined by the legislature and direct the Training Committee of the POST Board to move a process to update the learning objectives as appropriate. Dr. Gladney seconded the motion. Motion passed via unanimous voice vote.

9. Adjournment:

- **MOTION:** Dr. Schaefer made a motion to adjourn at 11:50 a.m. Chief Kent seconded the motion. Motion passed.

6700.0501 RECIPROCITY LICENSING EXAMINATION.

Subpart 1. **Scope.** For the purposes of this part, the terms defined have the meanings given to them.

Subp. 2. **Basic peace officer ~~police~~ education.** "Basic peace officer ~~police~~ education" means:

A. a basic course recognized by a state council, state commission, state board, or state agency which leads to licensing or basic certification as a law enforcement officer where the appointing authority is located; or

B. a basic course sponsored by the federal government for its law enforcement officers, including but not limited to, the basic Drug Enforcement Administration's agent school, the Federal Bureau of Investigation's basic agent school, or the Federal Law Enforcement Training Centers' Uniformed Police Training Center's uniformed patrol course or Criminal Investigator Training Program basic investigators course.

Subp. 3. **Law enforcement officer.** "Law enforcement officer" means: ~~a person appointed or employed as a peace officer in another state, or a federal law enforcement employee, who has full powers of arrest, authority to carry a firearm, and is classified in a law enforcement position by the office of personnel management, not including any time served in the United States armed services.~~

A. a person appointed or employed as a federal tribal law enforcement officer or a certified or licensed law enforcement officer in another state; or

B. a federal law enforcement employee, who has full powers of arrest, authority to carry a firearm, and is classified in a law enforcement position by the Office of Personnel Management, not including any time served in the United States armed services.

Subp. 4. [Repealed, 30 SR 903]

Subp. 5. **Postsecondary degree.** "Postsecondary degree" means an academic ~~title~~ degree awarded by a postsecondary institution which is accredited by a ~~member of one of the six regional accrediting associations~~ federally recognized accrediting association or recognized as meeting accreditation by a member of the National Association of Credential Evaluation Services (NACES). The post-secondary institution must be authorized to award degrees. ~~and authorized to award degrees, including, but not limited to, Associate of Arts (A.A.) degrees, Associate of Science (A.S.) degrees, Bachelor of Arts (B.A.) degrees, and Bachelor of Science (B.S.) degrees.~~

Subp. 6. ~~**Years of experience.** "Years of experience" means the total number of years the applicant has been employed as a law enforcement officer since completing the basic police education course.~~ **Full-time.** An individual is considered employed full-time as a law enforcement officer if they are working, at a minimum, an average of 35 service hours per week.

Subp. 7. ~~**Qualifications.** A person who has completed a postsecondary degree, who has had three years of employment as a law enforcement officer after completing basic police education, who has served as a law enforcement officer during the past six years, and who has not had a peace officer license, certificate, or the federal equivalent suspended or revoked shall qualify for the reciprocity examination; or a person who has five years of employment as a law enforcement officer after completing basic police education, who has served as a law enforcement officer during the past six years, and who has not had a peace officer license, certificate, or the federal equivalent suspended or revoked shall qualify for the reciprocity examination.~~ **Peace officer reciprocity.** An individual qualifies for the reciprocity examination if they:

- A. have completed a postsecondary degree or a minimum of 60 postsecondary education credits, two years of full-time employment as a law enforcement officer after successfully completing basic peace officer education, worked as a law enforcement officer during the past four years, and has not had a peace officer license, certificate, or the federal equivalent revoked, rescinded, or currently or permanently suspended; or
- B. are not considered a full-time law enforcement officer but have completed a postsecondary degree or a minimum of 60 postsecondary education credits, worked a minimum of 3,640 hours as a law enforcement officer after completing basic peace officer education, worked as a law enforcement officer during the past four years, and have not had a peace officer license, certificate, or the federal equivalent revoked, rescinded, or currently or permanently suspended.

Subp. 8. **Military reciprocity.** Military personnel are eligible to take the reciprocity exam if they meet the requirements in Minnesota Statute 626.8517.

Subp. 8_9. **Eligibility.** The eligibility for a person to take the reciprocity examination shall be void one year after qualifying for the examination. In order to reestablish eligibility, the person shall comply with subpart 7 and part 6700.0600. Reciprocity applications are valid for one year from the date they are approved by the Board. If the applicant does not take the examination within that year, they must reapply and comply with subparts 7 or 8 and part 6700.0600.

Subp. 9_10. **License eligibility.** Upon successful completion of the reciprocity examination, a person is eligible for a peace officer license. If the person is not licensed after three years, the person may reinstate eligibility by again demonstrating qualifications

for the examination pursuant to subparts 7 or 8 and ~~must again comply with the provisions of part 6700.0600.~~

Subp. ~~10~~ 11. **Applicability.** This part shall not apply to a person who holds a ~~lapsed~~, revoked, rescinded, or currently or permanently suspended peace officer license or certificate.

6700.0501 RECIPROCITY LICENSING EXAMINATION

Subpart 2. The term “basic police education” was changed to “basic peace officer education” to make the term more consistent with the language used in other Minnesota Statutes and Rules. When referring to law enforcement personnel, Minnesota Statutes and Rules commonly use the term “peace officer” to encompass the public service duties and responsibilities of law enforcement in addition to those related to enforcing the law. The change is needed and reasonable to make the language consistent with other rules and statutes.

B. The text in item B was updated to reflect the current names of the basic peace officer education programs offered by the Federal Law Enforcement Training Center (FLETC). The basic peace officer education programs offered by FLETC are listed by name because only two out of the three basic programs count as basic peace officer education for the purposes of this rule. The third program, Land Management Police Training, is specific to protecting natural resources and public lands as opposed to covering the basic duties, responsibilities, and tasks entry level officers should be able to understand and perform.

Subpart 3. Originally, subpart 3 contained two definitions for law enforcement officer in a single paragraph. The term “law enforcement officer” was not changed to “peace officer” as the latter is specific to Minnesota. Those seeking reciprocity from other states and federal agencies will be more familiar with and hold the title of law enforcement officer. The two definitions were broken up into items A and B to make it easier for readers to differentiate between the two definitions. These changes will make the definition easier to read and the language more broadly applicable to reciprocity seekers.

A. Item A covers the general definition of law enforcement officer for those working in other states. In addition to those appointed or employed as a certified or licensed law enforcement officer in another state, individuals appointed or employed as a federal tribal law enforcement officer also qualifies for reciprocity. This was added to the definition because it was not the intent of the rule to exclude those with federal tribal law enforcement experience from qualifying for reciprocity. Due to how the rule had been written previously, those officers were excluded from qualifying for reciprocity unless they applied for and were granted a variance from the rule. Such variance requests were treated as mandatory by the Board because the application of the rule, as applied to the circumstances of petitioners with federal tribal law enforcement experience, did not serve the intended purpose of the rule. By making this change, the purpose of the rule is achieved, and the quantity of variance requests heard by the Board will be reduced.

B. The federal law enforcement definition is unchanged. The text is organized to match the updated format of the subpart.

Subpart 5. The word “title” was stricken and replaced with the word “degree” as schools award degrees to students, not titles. In February of 2020, the United States Department of

Education released a memo in which the department stated it holds all accrediting agencies to the same set of standards. This means the United States Department of Education does not differentiate between national or regionally accrediting organizations. As a such, the requirement that a postsecondary degree must be awarded by a postsecondary institution that is accredited by a member of one of the six regionally accrediting associations was removed. The amended rule now states the postsecondary institution must be accredited by a federally recognized accrediting association. This new language is thus inclusive of institutions that have national, regional, or programmatic accreditation and is consistent with federal practices. As would be expected, postsecondary institutions outside of the United States are not accredited by federally recognized accrediting associations, therefore, by rule, the degrees awarded by those institutions are not considered a postsecondary degree even though the degree may be equivalent to one awarded in the United States. As a result, a provision was added to the definition of “postsecondary degree” that would allow such degrees to be recognized by the Board so long as the degree is audited by a member of the National Association of Credential Evaluation Services (NACES). The audit must state the degree is the equivalent of a degree issued in the United States by an accredited institution to count as a postsecondary degree under this definition. This provision will reduce the number of variance requests heard by the Board on the definition of “school” and steam line the process for out of country degree holders.

The list of possible degrees that may be awarded to a student was removed from the definition because the list was not exhaustive or exclusionary; therefore, it was unneeded and unreasonable to include the list in the definition. These changes are needed and reasonable to expand the types of degrees included under the definition of postsecondary degree and to make the definition compliant with federal and state practices.

Subpart 6. The term “years of experience” was never used in part 6700.0501. Instead, part 6700.0501, subpart 7 used the term “years of employment” when discussing reciprocity requirements. To help subpart 7 serve its intended purpose, rulemaking contributors replaced the term “years of experience” with the term “full-time.” The term “full-time” is defined as a minimum of 35 hours per week, which is consistent with the definition used by the Bureau of Labor Statistics (BLS). Throughout the State of Minnesota, various law enforcement agencies recognize 40 hours a week, or 2,080 hours a year, as full-time. However, within the State of Minnesota and across the globe, there are many companies and organizations transitioning out of the 40-hour work week for various health and wellness reasons. Although Minnesota law enforcement representatives do not foresee Minnesota agencies stepping away from the 40-hour work week anytime soon, if at all, the Board did not want to unnecessarily limit or restrict full-time peace officers from other states from qualifying for reciprocity because of a difference of opinion in what it means to be employed full-time. As a result, the Board’s committee on rules chose to adopt the definition of full-time described by the BLS. The BLS definition was chosen over other definitions of full-time because rulemaking contributors felt it provided the most flexibility while maintaining the necessary experience level desired from reciprocity seekers. For this reason, the definition is reasonable. The distinction and definition of full-time is needed for subpart 7 to serve its intended purpose.

Subpart 7. The title of subpart 7 was changed to “peace officer reciprocity” as the previous title was not a good representation of the subpart’s content. As for the content itself, the rulemaking contributors determined the wording in subpart 7 was not serving the rule’s intended purpose, which was to allow qualified and experienced officers to seek reciprocity. Therefore, the previous text was amended to eliminate the defects produced by the previous text.

The previous text of subpart 7 allowed part-time peace officers who, for example, may have only worked 8 hours a month for the past 3 or 5 years, depending on their education level, to apply for and take the reciprocity examination. As previously stated, rulemaking contributors felt this was a defect in the rule and not the intended purpose of reciprocity. As a result, items A and B were created to distinguish between the reciprocity requirements for full-time vs. part-time officers.

A. Item A sets the minimum qualification standard for full-time peace officers seeking reciprocity. Item A requires a peace officer seeking reciprocity to meet the following conditions: have completed a postsecondary degree or a minimum of 60 postsecondary education credits; have completed two years of full-time employment as a peace officer after successfully completing basic peace officer education; worked as a law enforcement officer within the past 4 years; and have not had a peace officer license, certificate, or the federal equivalent revoked, rescinded, or currently or permanently suspended.

The service benchmark in item A is 2 years to mirror the requirements for military service members under Minnesota Statute 626.8517. Rulemaking contributors determined it would be unreasonable to require more years of service from a full-time peace officer than a military service member. Rulemaking contributors also thought lowering the service benchmark from 3 to 2 years would widen the pool of potential applicants, which, is a needed and reasonable change to attract more applicants to fill vacant peace officer positions within the state.

B. Item B sets the minimum qualification standard for peace officers seeking reciprocity who are not considered full-time. Item B requires a peace officer seeking reciprocity to meet the following conditions: have completed a postsecondary degree or a minimum of 60 postsecondary education credits; worked a minimum of 3,640 hours as a law enforcement officer after completing basic peace officer education; worked as a law enforcement officer within the past 4 years; and have not had a peace officer license, certificate, or the federal equivalent revoked, rescinded or currently or permanently suspended.

The service benchmark in item B is based on hours as opposed to years of service to ensure the applicant has worked what would be the equivalent of 2 years in law enforcement per the definition of full-time in subpart 6. The minimum number of hours (3,640) was reached by multiplying 35 hours per week by 52 weeks per year and then multiplying that product by 2 $[(35 \times 52) \times 2 = 3,640]$. If the goal is to have reciprocity

seekers come to Minnesota with a specific level of experience, then it is necessary and reasonable to set a minimum number of service hours for part-time peace officers that is the equivalent of what is expected from a peace officer working full time.

Some college experience (60 postsecondary credits minimally) was made a requirement for reciprocity seekers in both items A and B- there is no longer a reciprocity option for individuals with no postsecondary education degree or experience. Although research studies on the benefits of a postsecondary degree are mixed, rulemaking contributors determined the documented benefits of a postsecondary degree or experience outweighed research that found postsecondary degrees to have a negative or null effect on peace officer conduct and performance. For example, according to Paoline et al., (2007), numerous studies have found that peace officers who have a postsecondary degree receive higher citizen satisfaction ratings and fewer citizen complaints than their counterparts without a postsecondary degree. Additionally, some studies have found that officers with postsecondary degrees receive fewer use of force complaints (Stickle, 2016) and rely less on verbal coercion during their interactions with members of the public (Paoline et al., 2007). Requiring reciprocity seekers to have some college experience is also in line with Minnesota's mission of professionalizing the peace officer occupation. This mission is evident in the fact that Minnesota is one of very few states that requires traditional peace officer applicants to have a two-year degree. Because research studies on the benefits of a postsecondary degree are mixed and some studies say it is the college experience rather than the degree that makes a difference, rulemaking contributors did not make a degree a hard requirement for reciprocity- applicants qualify if they have 60 postsecondary credits, no awarded degree necessary. This rule change is needed and reasonable to further the professionalization of the peace officer occupation in Minnesota and to make the requirements for peace officer applicants more consistent.

For both items A and B, reciprocity seekers are required to have worked in law enforcement within the past 4 years. The previous requirement was 6 years. Rulemaking contributors determined 6 years was too long as the field of policing is rapidly evolving and best practices are continuously being updated. As a result, the requirement was lowered to ensure reciprocity applicants are up to date on policing methods and tactics. The change is needed and reasonable to ensure reciprocity applicants are bringing current and up to date policing practices to Minnesota.

Lastly, items A and B state that reciprocity applicants must not have had a peace officer license, certificate, or the federal equivalent revoked, rescinded, or currently or permanently suspended to qualify for the exam. Similar language was used in subpart 7 previously, but it was expanded to make the requirement consistent with Minnesota Rule 6700.0700 subpart 1 (E). The change was needed to promote consistency among the rules within chapter 6700 and the requirement itself is reasonable to ensure peace officers are not "wondering" from state to state after having sanctions imposed on their peace officer license or certificate.

Subpart 8. The old subpart 8 was moved to subpart 9 and the subsequent subparts renumbered to allow for this addition. The new subpart 8 directs readers to Minnesota Statute 626.8517 to see the criteria for military reciprocity. This addition is needed to make it easier for military service members seeking reciprocity to find the information they need to determine their eligibility.

Subpart 9. The language in subpart 9 was reorganized to make the intent clearer. Reference to the new subpart 8 was added as a method of being eligible to take the reciprocity examination.

Subpart 10. Reference to the new subpart 8 regarding military reciprocity was added. The phrase “must again comply with the provision of” was deleted because the phrase was unnecessary.

Subpart 11. The language used in subpart 11 was updated to reflect the language used in 6700.0700 subpart 1 (E) regarding minimum selection standards which was updated in 2023 under R4641. The language clarifies that a reciprocity seeker may not apply for reciprocity if they have a revoked, rescinded, or currently or permanently suspended peace officer license or certificate. The word “certificate” was added because not all states license peace officers- some states use a certification process.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF THE UNDER SECRETARY

February 26, 2020

Re: FINAL ACCREDITATION AND STATE AUTHORIZATION REGULATIONS

Dear State Leaders:

This letter is to inform you that the U.S. Department of Education (Department) has published final regulations relating to the accreditation of institutions of higher education, as well as State authorization requirements for distance education, which may have an impact on your State.

The final regulations published this year were developed by a diverse negotiated rulemaking panel, which reached consensus in April 2019.¹ The Department published a Notice of Proposed Rule Making based on the consensus language, and received approximately 200 comments from the public regarding the proposed regulations. The Department responded to those comments, as appropriate, in the final regulation. With the exception of a few provisions relating to the recognition of accrediting agencies, which will take effect on January 1, 2021 and July 1, 2021, the accreditation and State authorization regulations will take effect on July 1, 2020.²

Below we highlight several key provisions of the final regulation that could have an impact on States. We are providing this notification to help you plan appropriately.

Regional versus National Accreditation

The Department is aware that some States have enacted laws and policies that treat institutions and the students who attend them differently based solely on whether the institution is accredited by a "national" accrediting agency or a "regional" accrediting agency. For example, some States limit opportunities to sit for occupational licensing exams to students who have completed a program at a regionally accredited institution. In other instances, transfer of credit determinations at public institutions, and other benefits provided by States, are limited to students who attended regionally accredited institutions.

Because the Department holds all accrediting agencies to the same standards, distinctions between regional and national accrediting agencies are unfounded. Moreover, we have determined that most regional accreditors operate well outside of their historic geographic borders, primarily through the accreditation of branch campuses and additional locations. As a result, our new regulations have removed geography from an accrediting agency's scope.³ Instead of distinguishing between regional and national accrediting agencies, the Department will distinguish only between institutional and programmatic accrediting agencies. The Department will no longer use the terms "regional" or "national" to refer to an accrediting agency.

¹ 84 FR 58834

² The new regulations delay implementation of changes to the Department staff's review of accrediting agency applications for initial or renewal of recognition under 34 C.F.R. § 602.32(d) until January 1, 2021. See 84 FR 58927. The new regulations also delay implementation of changes to the Department staff's process for responding to accrediting agency applications and allowing agency responses within 180 days under 34 C.F.R. § 602.32(h) until July 1, 2021. See 84 FR 58928.

³ See 84 FR 58917-58918 (amending 34 C.F.R. §§ 602.3, 602.11).

Because the Department will no longer distinguish between "regional" and "national" accrediting agencies, we wanted to provide States with advanced notice of this change so that State leaders will have sufficient opportunity to adjust State laws, regulations, or policies accordingly.

State Authorization

The Department's revised Accreditation and State Authorization regulations also make changes to State authorization requirements.⁴ For example, in order for a distance education provider to serve students in a State other than the one in which the institution has a physical presence, either the State in which the institution is located or the State in which the student is located must have a process in place to receive and review student complaints.⁵ We encourage all States to implement the appropriate policies and processes to accept, investigate, and respond to student complaints.

In addition, because it is important for all students – and not just those who enroll in distance education – to understand whether the program in which they are enrolled will qualify them to work in certain occupations in a given State, the revised regulations require both ground-based and online programs to notify students whether the program will or will not meet licensure requirements in a particular State, or in the event that the institution has not made that determination, where a student may obtain that information.⁶

The revised regulations continue to recognize State reciprocity agreements, such that an institution participating in a State reciprocity agreement will have satisfied the Department's State authorization requirements in any State that also participates in the reciprocity agreement.⁷ In response to public comments, the Department provided further clarity that, while States participating in a State authorization reciprocity agreement may still enforce their own general-purpose State laws and regulations outside of the State authorization of distance education, States participating in a reciprocity agreement may not impose additional distance education regulations or requirements upon institutions that participate in such agreements.⁸

The Department of Education has developed informational webinars to help States, institutions of higher education, and accreditors understand what is required of them under our new regulations. The webinars are located on the Department's website at <https://www2.ed.gov/policy/highered/reg/hearulemaking/2018/index.html>.

Should you have any questions, please feel free to contact the Accreditation Group at the Department of Education at aslrecordsmanager@ed.gov or 202-453-7615.

Sincerely,



Diane Auer Jones
Principal Deputy Under Secretary
Delegated the Duties of Under Secretary

⁴ See generally 84 FR 58914-58915 (amending 34 C.F.R. § 600.2); 84 FR 58915-58916 (amending 34 C.F.R. § 600.9).

⁵ See 84 FR 58915 (amending 34 C.F.R. § 600.9(c)). See 84 FR 58845-58846 (comments and discussion).

⁶ See 84 FR 58932 (amending 34 C.F.R. § 668.43(a)(5)).

⁷ See 34 C.F.R. § 600.9(c)(1)(ii).

⁸ See 84 FR 58841-58842, 58914-58915 (amending 34 C.F.R. § 600.2).