



# DLAB

## Distance Learning Authorization Board

### **Report of 2020 Activities**

The Wisconsin Distance Learning Authorization Board (DLAB) was established by 2015 Wisconsin Act 208, on March 1, 2016. The Board is attached to the Wisconsin Higher Educational Aids Board (HEAB) for administrative purposes, and HEAB hosts a DLAB-related webpage on its website. The DLAB website is available at <http://www.heab.state.wi.us/dlab/index.html>. The DLAB serves as Wisconsin's portal entity, making it possible for Wisconsin institutions of higher education, who serve out-of-state students through distance education, to participate in the State Authorization Reciprocity Agreement, or SARA. All U.S. states, except California are SARA member states. The District of Columbia (DC) and the territories of Puerto Rico and the U.S. Virgin Islands are also members of SARA.

The DLAB has membership from each higher education sector including the University of Wisconsin System (UWS), the Wisconsin Technical College System (WTCS), the Wisconsin Association of Independent Colleges and Universities (WAICU) for private, nonprofit institutions, Wisconsin's Tribal Colleges, and the Wisconsin Department of Safety and Professional Services for proprietary institutions.

As required by s. 39.87(3), *Wis. Stats.*, annually by January 30, the DLAB shall submit a report "that summarizes the board's actions taken during the immediately preceding calendar year." This report was approved by the DLAB at its December 1, 2020, meeting for submission under s. 39.87.

#### **2020 Meetings**

The pandemic had a profound impact on higher education in Wisconsin and accelerated interest in distance education in 2020. While most of Wisconsin's SARA-participating institutions of higher education were able to successfully shift to fully online or hybrid instruction, the pandemic laid bare inequities in access to distance education for some communities in our state.

The Board met three times in 2020, with meetings in May, September, and December. All meetings were held virtually due to the COVID-19 pandemic. The primary business of the May meeting was to prepare for Wisconsin's SARA renewal application at the regional meeting of the Midwest State Authorization Reciprocity Agreement (M-SARA) coordinated by the Midwestern Higher Education Compact (MHEC) Wisconsin is a statutory member of the Midwestern Compact. Wisconsin's application for continued participation in NC-SARA was unanimously approved.

The focus of the September DLAB meeting was to prepare for a National Council of State Authorization Reciprocity Agreements (NC-SARA) meeting convening of state portal entities from across the nation. The DLAB also approved changes to DLAB Bylaws to allow the Board to take action in a digital format as necessary. This move resulted from the COVID-19 pandemic as well as changes to the DLAB Operations Handbook to reflect changes required for institutional appeals as directed by NC-SARA. Approval of new institutional applications for participation in SARA or Renewal of institutional applications for participation in SARA were also taken up at all three meetings of the DLAB in 2020.

Officers for 2021 elected at the December 1, 2020 meeting are as follows:

- Chair: Dr. Anny Morrobel-Sosa, Vice-President Academic and Student Affairs, University of Wisconsin System
- Vice Chair: Dr. Morna Foy, President, Wisconsin Technical College System
- Secretary: Dr. Rolf Wegenke, President, Wisconsin Association of Independent Colleges and Universities

Additional members of the Board include Dawn Crim, Secretary of the Department of Safety and Professional Services and Dr. Russell Swagger, President, Lac Courte Oreilles Ojibwe College. Dr. Swagger was appointed by Governor Tony Evers to serve as the tribal representative of the DLAB in 2019.

### **National Council of State Reciprocity Agreements - Policy**

The National Council of State Reciprocity Agreements (NC-SARA) is just over five years old. With the development of the organization has come changes in policy as well as scope of the organization's mission and activity. DLAB continues to encourage NC-SARA to remain true to its original mission and purpose to protect student consumers engaging in online education as well as to reduce state authorization approval costs for institutions and students. The DLAB has shared the following feedback NC-SARA leadership and through NC-SARA's policy making process.

- DLAB leadership has requested that the NC-SARA Board ensure adequate representation on its Board and input from the four regional compacts throughout the United States such as the Midwestern Higher Education Compact. Wisconsin leadership also requested that the organization create inclusive processes for state and regional input to be received by the NC-SARA Board as it contemplates changes in policy. Due to Wisconsin's advocacy, and that of other states, NC-SARA's most recent Board appointments now include members representing two-year community colleges as well as private, non-profit institutions.
- DLAB leadership has requested that the NC-SARA organization remain focused on consumer protection and not engage in duplicative functions performed by other entities such as accreditation which ensures quality of academic programs.
- DLAB has encouraged the NC-SARA Board to be mindful of costs when determining new initiatives and setting new policies. Unlike many other states, Wisconsin does not

charge a state fee for institutions to participate in SARA at the state level, they pay just one participation fee to NC-SARA. Wisconsin higher education sectors are all undertaking initiatives to control and reduce costs and have expressed that NC-SARA focus on efforts to support existing needs rather than create new and costly initiatives outside the scope of the organization’s mission.

**Institutional Application Approvals, Renewals and Enrollment**

As of December 2020, 51 Wisconsin-based higher education institutions have been approved by the DLAB to participate in SARA. This includes 13 UWS campuses, 21 private, nonprofit institutions, 15 WTCS institutions, one proprietary institution, and one tribal college.

All Wisconsin-based institutions approved by the DLAB to participate in SARA are required to comply with SARA enrollment and compliance reporting. To date, all institutions are in compliance with these provisions. No SARA-related complaints were filed against any Wisconsin-based SARA-participating institutions in 2020. This is due in large part to the collaborative design of the DLAB, and all sectors working together. The DLAB also relies on Wisconsin’s existing strong consumer protection laws to ensure the protection of students and resolving consumer complaints.

As required by s. 39.86(3)(a)2., *Wis. Stats*, the following chart lists all the DLAB-approved SARA institutions. The list of approved institutions is also available on the NC-SARA website, and a link to this site is included on the DLAB website.

**Wisconsin-Based Participating SARA Institutions**

**UWS:**

University of Wisconsin – Eau Claire	University of Wisconsin – Platteville
University of Wisconsin – Green Bay	University of Wisconsin – River Falls
University of Wisconsin – La Crosse	University of Wisconsin – Stevens Point
University of Wisconsin – Madison	University of Wisconsin – Stout
University of Wisconsin – Milwaukee	University of Wisconsin – Superior
University of Wisconsin – Oshkosh	University of Wisconsin – Whitewater
University of Wisconsin – Parkside	

**Private, Non-Profit:**

Alverno College	Marquette University
Bellin College	Medical College of Wisconsin
Cardinal Stritch University	Milwaukee School of Engineering
Carroll University	Milwaukee Institute of Art & Design
Carthage College	Mount Mary University
Concordia University Wisconsin	Nashotah House
Edgewood College	Ripon College
Herzing University	Sacred Heart Seminary and School of Theology
Lakeland University	Viterbo University

Maranatha Baptist University	Wisconsin Lutheran College
Marian University	

**WTCS:**

Blackhawk Technical College	Nicolet Area Technical College
Chippewa Valley Technical College	Northcentral Technical College
Fox Valley Technical College	Northeast Wisconsin Technical College
Gateway Technical College	Southwest Wisconsin Technical College
Lakeshore Technical College	Waukesha County Technical College
Madison Area Technical College	Western Technical College
Mid-State Technical College	Wisconsin Indianhead Technical College
Moraine Park Technical College	

**Proprietary Institutions:**

Wright Graduate University for the Realization of Human Potential	
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**Tribal Colleges:**

Lac Courte Oreilles Ojibwe College	
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**Enrollment**

NC-SARA requires SARA-participating institutions to report distance education program enrollments of out-of-state students annually. Institutions are required to report the number of students enrolled in the institution enrolled outside the home state of the institution. Starting in 2019, institutions also reported their in-state enrollment. According to the data collected and reported by NC-SARA for 2018-19 enrollment reporting, 6,552 out-of-state students representing all 48 SARA states (other than Wisconsin) enrolled in distance education programs at Wisconsin-based SARA-participating institutions. Only California has yet to join SARA.

At the same time, other states reported 17,828 Wisconsin residents were enrolled in a distance education program at an out-of-state SARA-participating institution. Wisconsin students attended SARA-participating institutions in all 48 of the other SARA-participating states. The table below shows the top five home states of students attending Wisconsin-based SARA-participating institutions and the top five states where Wisconsin students attended SARA-participating institutions in 2018-19.

Home State	Out-of-State Students Attending Wisconsin Institutions Under SARA		State of Attendance	Wisconsin Students Attending Out-of-State Institutions Under SARA
Minnesota	1,008		Arizona	2,831
Illinois	891		Minnesota	2,353
Michigan	558		Illinois	1,544
Texas	352		Utah	1,487
Florida	268		New Hampshire	1,177

Among Wisconsin-based SARA-participating institutions, the top five institutions in terms of attracting out-of-state distance education students from SARA states are Herzing University (1,450 students), Concordia University Wisconsin (464 students), University of Wisconsin-Milwaukee (447 students), University of Wisconsin-Stout (433 students), and the University of Wisconsin-Madison (415 students).

### **Exempt Institutions**

Another statutory responsibility assigned to the DLAB is that the Board “create and maintain” a list of higher education institutions that are legally authorized to operate in Wisconsin. Institutions that are legally authorized in a state are exempt from additional state authorization requirements as stated in the “program integrity rules” issued as final regulations of the US Department of Education in 75 Fed. Reg. 66832 to 66975 (October 29, 2010).

The Board is required to make this list available to the public and at least annually provide the list to the Wisconsin Legislative Reference Bureau for publication in the *Wisconsin Administrative Register*. The list of exempt institutions was provided by HEAB (as the administrative agency to which the DLAB is attached) to the Reference Bureau and is to be published in the *Wisconsin Administrative Register*. The listing of exempt institutions is available on the DLAB website.

Additionally, Wisconsin has for many years issued a Governor’s Executive Order to document compliance for institutions that are legally authorized in the state as required by Federal law. An updated Executive Order #37 was issued by Governor Evers in July of 2019.

### **2021 Anticipated Activities**

For 2021, the DLAB priorities include:

- Reviewing institutional renewal applications and any new applications.
- Continuing to provide input on NC-SARA policies, procedures, and data requirements.
- Continuing strong cross-sector collaboration that makes the DLAB unique in how states are complying with SARA requirements.
- Continuing to serve as a technical resource for Wisconsin-based higher education institutions participating in SARA or seeking to participate.

In conclusion, the DLAB continues to serve an important role in facilitating the ability of Wisconsin-based higher education institutions to expand their distance education offerings across state borders and to reduce the associated regulatory burden on the institutions. Also, with the pandemic, online learning has become more important than ever and highlighted the need to ensure all students have access to high quality postsecondary education. Distance education increases that access making the DLAB’s work more important, now more than ever before.