

# How Expensive to Get In?

## Distance Learning Out-of-State Approval Costs

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### INTRODUCTION

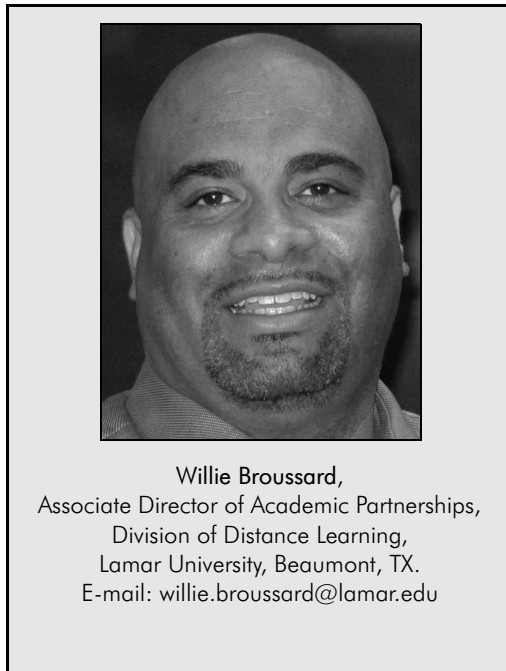
**D**uring my first trip to New York City, I was excited about attending one of the popular clubs I had heard about from friends. As we approached the entrance, the long line that contained other anxious partygoers astonished me. Not to be discouraged, I joined the ranks of these hopeful attendees. After a brief, yet thrilling, wait I made it to the entrance. My next surprise came when I was greeted by the hostess/cashier and informed of a cover charge of \$50 to enter this establishment. Coming from a small

town, I had never experienced a cover charge higher than \$5. Hesitantly, I acquiesced, paid the fee to enter, and enjoyed my first nightclub experience in the Big Apple; however, for future visits to unfamiliar nightclubs, I learned to research the cover charges in advance.

Higher education institutions offering distance education are experiencing the similar aforementioned astonishment as a result of the U.S. Department of Education's State Authorization Regulation Chapter 34, C.F.R. § 600.9. It requires institutions offering distance education and correspondence courses in a state in which they are not physically located, to meet the state's requirements (State Authorization, 2010). Specifically it states,

If an institution is offering postsecondary education through distance or correspondence education to students in a State in which it is not physically located or in which it is otherwise subject to State jurisdiction as determined by the State, the institution must meet any State requirements for it to be legally offering postsecondary distance or correspondence education in that State. An institution must be able to document to the Secretary the State's approval upon request. (p. 66862)

In June 2011, the United States District Court for the District of Columbia struck down a portion of the state authorization regulations, but still gave states the authority to regulate distance education in their



respective states (Career College Association dba Association of Private Sector Colleges and Universities vs. U.S. Department of Education et al., 2011).

Online education is one of the fastest growing phenomena in higher education. With the availability of new technologies and changing learner needs, traditional universities are successfully delivering instruction to students at remote locations who would otherwise be unable to complete their studies. The success has not come without drawbacks, however. Many universities are faced with a demand for their distance education programs, which overwhelms the existing campus infrastructure.

The introduction of the World Wide Web has aided in the migration from distance learning delivery methods (correspondence, interactive, etc.) to predominantly online delivery (Calvin & Freeburg, 2010). The availability and affordability of online degree programs have grown and continue to grow exponentially, providing prospective and continuing students with a myriad of choices to complete their educational goals. Previously dominated by for-profit and private universities, online degree programs are now seeing tremendous growth, popularity, and success with public institutions. Within the adult learner population, single parent, minority, and low-income women have become the largest group among online learners (Miller, 2008).

The growth of online education has not only allowed for the diversity of the profile of learners, but also has given those learners an expanded portfolio of choices among institutions of higher learning. Online degree programs allow students to complete their educational pursuits at institutions that may originally have been inaccessible due to location, costs, etc.

The initial directive stated that noncompliance with this mandate would result in loss of Title IV funding for the institution. Educational institutions, both 2-year and 4-

year, profit and nonprofit, found themselves in a mad rush to identify where their distance students originated and the regulations governing approval in those states. Each state controls the process for approval and the fee structure, if any, associated with the process. This leads to many institutions asking the question, "How expensive is it to gain approval in your state?" as they seek approvals in other states.

Asking the previous question while undertaking this process at Lamar University, it became apparent that although the requirements vary from state to state, there appeared to be three major categories by which states could be classified. Grouping the states into these broad classifications allow institutions the opportunity to gain insight (at a broad level) into the level of simplicity/difficulty in which approval can be obtained.

### **CATEGORY I: THE "CHEERS" STATES**

Similar to the popular and long running sitcom "Cheers" about a friendly neighborhood bar in Boston, the states in this category are characterized by the ease in which approval is obtained. Ranging from relatively inexpensive to no costs, minimal paperwork, or exemption from approval (based on factors such as regional accreditation, nonprofit status, etc.) these states may not "know your name," but the approval process requires minimal cost and/or manpower from an institution in order to gain approval. These states include:

- Arizona
- California
- Colorado
- Connecticut
- Delaware
- Florida
- Idaho
- Illinois
- Indiana
- Maine
- Maryland

- Michigan
- Mississippi
- Montana
- New Jersey
- New Mexico
- New York
- North Dakota
- Oklahoma
- Oregon
- South Carolina
- South Dakota
- Utah
- Vermont
- Virginia
- Wisconsin

### **CATEGORY II: THE TRENDY CLUB STATES**

Over the years, we have become familiar with popular and trendy clubs that became synonymous with a particular era. The Cotton Club during the Depression and the Harlem Renaissance, Studio 54 in New York during the disco era, and now PURE and Tao in Las Vegas are a few examples of clubs that define a time in history. A more selective process characterized these establishments (e.g., longer lines and waits, VIP sections/lounges, etc.); yet they also made themselves available to the population as a whole. States in this category tend to be more selective in the approval process for those institutions offering distance or correspondence education. Slightly higher application fees, extensive paperwork, and/or degree program curriculum may be requirements of the states in this category. States in this category include:

- Alaska
- Georgia
- Hawaii
- Iowa
- Louisiana
- Missouri
- Nebraska
- Texas
- Wyoming

### **CATEGORY III: THE ELITE COUNTRY CLUB STATES**

The final category of states is typified by many of the same requirements as the Trendy Club states but to an exponentially greater degree. In addition, some of these states have eccentric requirements unique to their state. States in this category may be some of the most challenging for institutions based on costs, manpower, and other factors arising from the state's prerequisites. Similar to an elite country club, states in this category have restricted the amount of institutions gaining approval by mandating conditions that deter many of them from beginning the approval process. These states include:

- Alabama
- Arkansas
- Georgia
- Kansas
- Kentucky
- Minnesota
- Nevada
- New Hampshire
- Ohio
- Pennsylvania
- Rhode Island
- Tennessee
- Washington
- Wyoming

### **THE FINE PRINT**

There are a few items institutions must consider as they undertake this process. As states grasp an understanding of the mandate from the Department of Education, they have the right to amend their regulations. States once considered to be in Category I may ultimately decide to revise their regulations and be in Category III. Institutions must regularly check the state regulations after initial approval for subsequent changes.

## CONCLUSION

Online education has grown and will continue to grow exponentially over the next few years, even decades. Higher education institutions wanting to offer their distance education programs and courses need to prepare themselves by gaining a clear understanding of the requirements for each state.

## REFERENCES

Calvin, J., & Freeburg, B. W. (2010). Exploring adult learners' perceptions of technology

competence and retention in web-based courses. *Quarterly Review of Distance Education, 11*(2), 63-72.

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Miller, T. (2008). Persistence of women in online degree-completion programs. *International Review of Research in Open and Distance Learning, 9*(2), 1-18.

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