

Questions Submitted to the Department from Robert Anderson

The Department writes that institutions are legally authorized if the State "Ensures the institution...continues to meet a State's general-purpose or education-specific laws and regulations

It also writes at (3) that The institution may be exempted from requirements for initial or renewed application for authorization or licensure if the institution is offering distance education in that state under a state authorization reciprocity agreement.

Virginia, as one example among many, has regulations stating that institutions must either be a) "certified" by the state (authorized) and follow numerous requirements related to closure, audits, etc or b) participate in a reciprocity agreement that the Commonwealth is a member of.

Thus, out-of-state institutions are fully compliant with Virginia's laws.

*Does the Department's framing suggest that Virginia cannot construct its regulations this way?
Does the Department's framing suggest that states cannot choose a reciprocity agreement that prevents other states from enforcing education-specific laws on out-of-state institutions?*