State Reauthorization: Toolkit

CONTENTS

This toolkit includes resources supporting a mixed methods research project on state reauthorization and agency capacity. The toolkit includes important supplementary resources including an executive summary and best practices for state regulators on key application metrics.

EXECUTIVE SUMMARY

PROJECT SUMMARY

State regulators are the central authority in higher-education oversight, charged with ensuring consumer protection and quality assurance within the regulatory triad. Yet gaps remain in our understanding of regulatory renewal processes, their real-world implementation, and the capacity challenges these agencies face. To address this, we completed a systematic 50-state (including the District of Columbia) inventory of 77 agencies that administer 164 processes. Additionally, we interviewed 25 agency staff across 11 states. We assessed governance structures, renewal and reporting cycles, the stringency of 22 accountability metrics, and agency capacity. Our analysis reveals wide variation in how states organize and schedule renewals, uneven metric stringency, and significant disparities in data infrastructure, collaboration networks, staffing, and legal authority. Some agencies— those with integrated data platforms and strong peer networks—have streamlined review workflows, bolstered oversight, and expanded consumer-facing information, while most struggle with limited resources and rely on paper or basic databases for data collection.

KEY FINDINGS

- **Oversight and Authorization Structures Vary Widely**

  77 authorizing bodies span seven types—coordinating boards; governing boards; education, consumer-affairs, and labor/workforce departments; independent agencies; and secretaries of state—often dividing oversight responsibilities across multiple entities in a single state.

- **States Have Varied Reauthorization Timelines and Use Reporting Requirements to Sustain Oversight**

  Longer or variable intervals are less frequent but often align with accreditation cycles. Additional reporting (when required) is typically annual, with some agencies mandating quarterly submissions. Few processes omit both reauthorization and reporting. More than 75% of agencies require at least annual oversight through one or both mechanisms.

- **Renewal and Reporting Stringency Fluctuates by Agency, Metric, and Institution Type**
  States apply moderate rigor to academic and consumer-protection metrics, while student-success-based metrics are the least common in reauthorization. Agencies less frequently require additional reporting; however, when mandated, such reports often focus on student outcomes. For-profit institutions typically face stricter renewal and reporting requirements, whereas accredited institutions often enjoy full or partial exemptions.

- **Data Infrastructure and Data Use Strengthen Oversight**
  Agencies' data systems and collection of institutional information vary widely, ranging from fillable PDFs that are mailed to the agency, to SurveyMonkey surveys, to fully integrated web-based platforms that can store institutional documents and student reporting. Agencies with integrated systems streamline reviews and deliver stronger oversight. Agencies relying on paper or basic databases experience challenges with monitoring institutions and linking student-level data to program value and ROI.

- **Peer Networks are Leveraged to Bridge Expertise and Capacity Gaps**
  Agencies tap NASASPS, SHEEO, and listserv communities to fill expertise and capacity gaps, but metric stringency remains uneven, especially for student outcomes. Direct communication within the regulatory triad often falls short, highlighting the need for structured information-sharing protocols and regular convenings of regulators, triad partners, and institutions.

- **Capacity and Enforcement Authority Shape Oversight Effectiveness**
  The capacity of regulatory agencies varies dramatically. Some employ dozens of investigators and inspectors. Others operate with minimal staff, lean on contractors and consultants to run renewal processes, and rely on attorneys general or outside counsel to enforce compliance. Statutory authority also diverges. Robust laws in some states grant agencies authority to conduct unannounced site visits and increase surety bond amounts, while limited statutory power in others prevents agencies from mandating corrective actions, which leads to reactive oversight.

RECOMMENDATIONS

Improving state authorization requires coordinated efforts among multiple stakeholders. Many critical actions (e.g., providing funding, increasing staff, enforcing policies, making legislative changes) rely on collaboration beyond authorizers alone. Specifically, we recommend that stakeholders:

- **Modernize Legal and Policy Frameworks**
  State policymakers and authorizers should reconsider statutes and regulations to better reflect current authorization practices and evolving institutional processes. Improve agencies' enforcement capabilities (e.g., unannounced site visits, adjustments to surety bond requirements), critically examine exemption criteria (e.g., accreditation status, religious affiliation, nonprofit designation), and strategically structure authorization and reporting cycles. More frequent or targeted oversight requirements can maximize oversight effectiveness and benefit from overlapping regulatory structures.

- **Invest in Data Infrastructure and Capacity**
  State policymakers and authorizers should allocate funding and staff resources to develop scalable data systems—from simple excel spreadsheets and form-based tools to fully integrated institution and student-level platforms—that streamline compliance monitoring and reporting. Hire consultants or train agency staff to analyze and use data effectively. Prioritize integration of these data systems with workforce, postsecondary, and state longitudinal databases to support outcome-driven oversight, improve data integrity, and inform consumer and strategic policymaking.

- **Strengthen Collaborative Regulatory Networks**
  State authorizers and intermediary organizations should expand and formalize structured communities and networks of practice (e.g., NASASPS convenings and workshops, listservs, joint convenings) to support regular information sharing and peer learning among state authorizers. Establish clear protocols for sharing resources and information across the regulatory triad,

including state regulators, accreditors, the U.S. Department of Education, and Veterans Affairs offices, to improve coordination, share best practices, and identify high-risk institutions early.

- **Adopt Flexible Administrative and Enforcement Strategies**
  State authorizers should leverage contractors, consultants, and part-time staff to manage renewal workflows. Where laws and regulations allow, authorizers might explore opportunities to join accreditor site visits and request their review materials to reduce duplication. Virtual site visits are also a flexible alternative. Authorizers should also use enforcement tools such as corrective action plans and stop work orders as needed, and require teach-out plans as part of the renewal process to ensure student protection despite capacity limitations.

- **Prioritize Research on Governance, Exemptions, and Impacts**
  Researchers and funders should conduct and support research that examines how different governance structures, exemption policies (such as accreditation status, religious affiliation, and nonprofit designation), and licensure frameworks affect oversight effectiveness, student protection, and equity. Such studies can inform evidence-based policy reforms and help identify gaps in current authorization systems. Researchers and funders might emphasize applied and participatory research approaches that engage state regulators directly to streamline their work, particularly in collecting and analyzing student outcomes and institutional financial data. Funders and researchers should collaborate to ensure findings translate into practical improvements across state authorization efforts.

CONCLUSION

This study highlights the essential role of state authorization in maintaining accountability and quality in postsecondary education. Our analysis reveals variations in governance structures, agency types, renewal and reporting frequency, risk-sharing relationships with accreditors and SARA, and levels of stringency across agency and institution types. Although many agencies operate with limited resources in finances, data infrastructure, and human capital, strategic investments in data systems, collaboration with state entities and accreditors, and participation in shared networks can improve regulatory effectiveness. Continued modernization of policy frameworks, data systems and use, and capacity-building support are crucial for agencies to fulfill their oversight roles and adapt to evolving demands in postsecondary education.

BEST PRACTICES: ACADEMIC METRICS

DESCRIPTION

Academic metrics help states assess educational quality and ensure institutions provide transparent information to students and consumers.

METRIC COLLECTION BEST PRACTICES

Metric	Best Practices
Institutional & Program/Specialized Accreditation Information	• All accredited and Title IV-participating institutions should submit official documentation of accreditation status, site visit materials, and related records • Require institutions to report adverse accreditor actions and decisions at the time they occur, along with any associated renewal documentation • Require institutions to disclose accreditation status in catalogs, student handbooks, and on their websites • Require nonaccredited institutions to include a student attestation acknowledging the lack of accreditation in enrollment agreements, contracts, and other official, student-facing documents
Course Catalog	• Require institutions to submit course catalogs that include, at minimum, institutional contact information, authorization and accreditation status, program descriptions and requirements, key policies and procedures (e.g., refund, cancellation, attendance, credit hour definitions, student complaints, records access, student services), and tuition and fee schedules • Develop clear checklists and forms that, where applicable, reference the agency's authorizing statutes and regulations to verify institutional compliance and promote transparency for consumers • Require institutions to maintain historical copies of course catalogs for transparency and consumer protection • Collect and archive institutional catalogs as part of the agency's official records
Enrollment Agreement	• Require all institutions to submit example enrollment contracts that include, at minimum, institutional contact information, authorization and accreditation status, program descriptions and requirements, key policies and procedures (e.g., refund, cancellation, attendance, credit hour definitions, student complaints, records access, student services), and tuition and fee schedules • Require institutions to maintain historical copies of student enrollment agreements for transparency and consumer protection

Student Handbook	• Consider requiring institutions to provide students with a student handbook that includes key policies, procedures, and other important information
Tuition and Fee Schedule	• Require institutions to publish clear information on costs such as tuition, and fees in catalogs, enrollment agreements, and on their websites • Require institutions to provide itemized tuition and fee schedules to support refund, cancellation, and related policies

RECOMMENDATIONS

- State authorizers should require accredited institutions to provide all information submitted to accreditors, including the accreditor's contact information, standards, and decisions. For nonaccredited institutions, efforts should be taken to ensure students acknowledge and understand the implications of an institution's lack of accreditation.

- Require institutions to provide a catalog or handbook that meets minimum requirements, including sections for institutional contact information, authorization and accreditation status, program descriptions and requirements, key policies and procedures (e.g., refund, cancellation, attendance, credit hour definitions, student complaints, records access, student services), and tuition and fee schedules.

- Require institutions to report faculty and administration information, including turnover statistics.

- Require all institutions to use an enrollment agreement or student contract that includes clear terms and, where applicable, student attestations.

BEST PRACTICES: CONSUMER PROTECTION METRICS

DESCRIPTION

Consumer protection metrics safeguard student rights and ensure institutions fulfill their commitments, maintain financial stability, and prioritize student interests.

METRIC COLLECTION BEST PRACTICES

Metric	Best Practices
Student Grievance/Complaint Policy	• Require institutions and agencies to publish clear student complaint policies in catalogs, enrollment agreements, and websites • Clearly communicate complaint procedures, escalation paths, and timelines (institution, agency, federal) • Collect and analyze complaint data and resolutions to monitor trends and inform oversight
Student Record Procedures	• Specify minimum requirements for student and institutional records (e.g., transcripts, catalogs) and maintain a minimum retention period of 20+ years • Require institutions to publicly disclose what records are maintained and how students can access them • Mandate transparency between the institution and the authorizer about record-keeping practices, including annual documentation submissions • Require retention plans for institutional closures and empower agencies to secure student records if closures occur
School Closure Plans	• Require detailed, proactive closure and teach-out plans as part of regular reauthorization • Mandate timely notification to the agency and students about closures and potential consequences
Tuition Refund Policy	• Require institutions to clearly publish refund policies in catalogs, enrollment agreements, and websites • Mandate refund criteria based on withdrawal timing, including clear percentage-based refund schedules
Tuition Recovery Fund (or Student Protection Fund)	• Ensure public access to information about the tuition recovery fund in catalogs or enrollment agreements • Require clear procedures for notifying students how to access refunds in the event of institutional closure or other eligible circumstances
Surety Bond	• Require annual proof of the validity of surety bonds to ensure ongoing coverage • Provide a specific surety bond form aligned with the authorizer's requirements

	• Where authorized, agencies should impose larger surety bonds as needed to ensure adequate financial protection
Financial Statements	• Require audited financial statements that adhere to the established financial health standards • If audits are not required, mandate extensive financial documentation, including multi-year budgets and explanation/justification statements • Develop strategies to analyze financial data for assessing an institution's financial solvency
Site Visit	• Conduct regular site visits as part of the renewal process, with institutions responsible for covering the costs • Use virtual visits or partner with accreditors or other agencies to address capacity constraints • If relying on accreditor visits, mandate submission of visit reports or documentation • Implement a standardized site visit protocol, such as forms or rubrics • Allow and use unannounced and unscheduled visits to ensure compliance

RECOMMENDATIONS

- Require institutions to include key information (complaint policies, refund policies, and record procedures) in catalogs, enrollment contracts, and easily accessible website locations.

- Mandate annual audited financial statements to assess institutional health, rather than relying on self-reported documents.

- Conduct regular and unannounced site visits to maintain rigorous oversight.

- Require ongoing proof of surety bonds and empower agencies to impose higher bonds for financially distressed institutions.

- Implement risk analysis programs to identify institutions at risk of closure.

- Require reporting on student complaint outcomes for transparency and accountability.

- Consider criminal penalties for unauthorized operation as an additional consumer protection measure.

BEST PRACTICES: STUDENT OUTCOME METRICS

DESCRIPTION

Student outcome metrics support internal performance monitoring and consumer-facing transparency by shedding light on an institution's effectiveness in enrolling, retaining, and graduating students; tracking students' transition to employment; and indicating financial stability and operational success.

METRIC COLLECTION BEST PRACTICES

Metric	Best Practices
Enrollment Metrics	• Require institutions to report regular, student-level enrollment data allowing for the calculation of other required student metrics, disaggregated by demographics (race, gender, full- and part-time status), program, and other relevant factors • When student-level data are unavailable, require institutions to report multiple years of program- or institution-level enrollment data disaggregated by demographics and other relevant factors • Require institutions to publish headcount enrollment for multiple fiscal years for existing and planned programs, and include these values in catalogs, enrollment agreements, and on their website
Persistence, Graduation, & Job Placement Metrics	• Require institutions to report regular, student-level persistence (retention and dropout), graduation, and job placement data, disaggregated by demographics (race, gender, full- and part-time status), program, and other relevant factors, enabling agencies to validate records by cross-referencing student identifiers against enrollment reports • When student-level data are unavailable, require institutions to publish persistence, graduation, and job placement metrics for multiple fiscal years for existing programs, and include these values in catalogs, enrollment agreements, and on their website • Define clear persistence, graduation, and job placement metrics and establish threshold rates that flag institutions for review when performance falls below those benchmarks
Cohort Default Rates	• Require accredited and Title IV eligible institutions to report program-level and institutional cohort default rates for the past three years as a condition of authorization or reporting • Require institutions to disclose cohort default rates and related student outcome data in a school performance fact sheet provided with enrollment agreements
Wage Data	• Require institutions to provide students with program-level wage and salary information as part of enrollment agreements and disclosures • Require institutions to submit student-level data quarterly and annually that enables the agency to calculate wage data

	• Link student-level enrollment records to state labor and wage data to calculate program-level employment and earnings outcomes
Income-to-Debt Ratios	• Consider requiring institutions to report student indebtedness and earnings data necessary to calculate debt-to-income ratios for reauthorization and reporting
State Licensing and Exam Passage Metrics	• Require institutions to report regular, student-level state licensing passage rate data, disaggregated by demographics (race, gender, full- and part-time status), program, and other relevant factors • When student-level data are unavailable, require institutions to report multiple years of program- or institution-level data disaggregated by demographics and other relevant factors • Require institutions to publish passage rate metrics for existing programs, and include these values in catalogs, enrollment agreements, and on their website

RECOMMENDATIONS

- Require institutions to regularly provide student-level data (e.g., from 1 year to semi-annually to quarterly) that allows the agency to calculate aggregate statistics and validate institutional reporting.

- Provide strong customer service and reduce institutional burden in student outcome reporting by offering standardized templates, clear definitions, training materials, and allowing use of existing reports where appropriate.

- Modernize data systems and develop partnerships with agencies such as Departments of Labor to link and track key student outcome metrics, including enrollments with wages, job placement, default rates, and debt-to-income ratios.

- Use verified student outcome data to monitor institutional performance and develop public dashboards that provide clear, comparable information to support staff and student decision-making.