

The State Authorization Reciprocity Agreement (SARA)

New Hampshire is a member of the National Council for State Authorization Reciprocity Agreements (NC-SARA) through the New England Board of Higher Education (NEBHE) <https://www.nc-sara.org/>.

The SARA is an agreement among member states, districts and territories that establishes comparable national standards for interstate offerings of postsecondary distance education courses and programs. SARA applies solely to distance education activity conducted across state lines. It does not apply to distance education activity of an institution within its home state or to on-ground campuses in any state. It is intended to make it easier for students to take online courses offered by postsecondary institutions based in another state. The SARA is overseen by the National Council for State Authorization Reciprocity Agreements (NC-SARA) and is administered by four regional education compacts, with the New England Board of Higher Education being the regional entity for New Hampshire.

The NH Department of Education, Division of Higher Education – Higher Education Commission (Division) is the NH portal agency for the SARA and has the authority and responsibility to resolve student and other complaints. Absent applicable law or policy establishing another remedy, the first step in resolving student or other complaints or grievances is to attempt to resolve the matter directly with the administration of the involved institution under established institution complaint or grievance procedures.

Every NH institution (private non-profit, private for-profit, and public) is required to establish, publish, and enforce policies related to redress of complaints and grievances. With limited exceptions, a student or other person who contacts the Division office regarding complaints about NH institutions participating in the SARA will be referred to college or university officials responsible for resolving those matters.

In the event that institutional processes do not result in a successful resolution of a SARA complaint, the Division is responsible for final resolution of any such complaints originating at any NH SARA participant institution, public or private.

Conversely, if you are a NH resident attending a distance education program at a SARA institution in another state, you will need to begin the grievance process at the institution you attend. In the event that institutional processes do not result in a successful resolution of your complaint, the SARA portal agency of that state is responsible for final resolution of the complaint.

With the exception of reporting fraud, waste or abuse, the Division does not review anonymous complaints or matters that are or have been in litigation, and does not conduct a judicial investigation or evidentiary hearing. The Division may conduct a paper review, discuss the matter with the parties, and take other steps as may be appropriate in an attempt to resolve the complaint.

SARA Policies and Standards, including those for consumer protection and the resolution of complaints, apply to interstate distance education offered by participating SARA institutions to students in other SARA states. Only those complaints resulting from distance education courses offered by participating institutions to students in other SARA states come under the terms of the agreement. *Complaints about a SARA institution's in-state operations are to be resolved under the state's provisions, not those of SARA.*

Consumer protection within SARA, in addition to dealing with alleged fraudulent activity, also provides for the investigation and resolution of complaints that an institution is operating a course or program contrary to practices set forth in the Interregional Guidelines for the Evaluation of Distance Education in such a way that a student is harmed. Examples of issues that may arise in regard to alleged fraudulent activity or more general complaints include, but are not limited to:

- a. Veracity of recruitment and marketing materials;
- b. Accuracy of job placement data;
- c. Accuracy of information about tuition, fees, and financial aid;
- d. Complete and accurate admission requirements for courses and programs;
- e. Accuracy of information about the institution's accreditation and/or any programmatic/specialized accreditation held by the institution's programs;
- f. Accuracy of information about whether course work meets any relevant professional licensing requirements or the requirements of specialized accrediting bodies;
- g. Accuracy of information about whether the institution's course work will transfer to other institutions; and
- h. Operation of distance education programs consistent with practices expected by institutional accreditors (and, if applicable, programmatic/specialized accreditors) and/or the Interregional Guidelines for the Evaluation of Distance Education.

SARA Complaint Resolution Processes

(NH public and private institutions that are enrolled in the SARA)

- Complaints against an institution operating under SARA go first through the institution's own procedures for resolution of grievances.
- Complaints regarding student grades or student conduct violations are governed entirely by institutional policy and the laws of the SARA institution's home state.
- If a person bringing a complaint is not satisfied with the outcome of the institutional process for handling complaints, the complaint (except for complaints about grades or student conduct violations) may be appealed, within two years of the incident about which the complaint is made, to the SARA portal agency in the home state of the institution against which the complaint has been lodged. That agency shall notify the SARA portal agency for the state in which the student is located of receipt of that appealed complaint. The resolution of the complaint by the institution's home state SARA portal agency, through its SARA complaint resolution process, will be final, except for complaints that fall under the provisions below.
- While the final resolution of the complaint rests with the SARA portal agency in the home state of the institution against which the complaint has been lodged, nothing precludes the state in which the complaining person is located from also working to resolve the complaint, preferably through that state's SARA portal agency. Indeed, it is expected that SARA states will facilitate the resolution of any complaints brought to their attention.
- Nothing in SARA Policies and Standards precludes a state from using its laws of general application to pursue action against an institution that violates those laws.