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The effects of regulations on mobile students

by Lucas Kavlie

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To be an effective compliance professional in higher education, one must be prepared for Sisyphean tasks. Most colleges and universities are subjected to the authorization laws and regulations of the home state (i.e., the state in which the main campus is located), standards of the regional and/or national accreditation agency, criteria of multiple programmatic accreditation agencies, and a plethora of other requirements that must demonstrably be met for continued existence.

Sisyphean tasks are those which are repetitive and rarely — if ever — able to be completed. It is important to contrast a Sisyphean task with the folksy definition of insanity (i.e., repeating a task while expecting a different result). Completion of annual reports, ad hoc requests, decennial reaffirmation processes (often including site visits), or indicator-based program reviews are recurrent demands on the time of compliance professionals in higher education. Monitoring and reporting Clery Act or Title IX cases add variety to the work, but much of the overall labor is Sisyphean.

Education for a budget-motivated population

As costs of higher education rise, students may look cross-jurisdictionally for an educational option that better fits their budgets,^[1] bringing the issue of higher education regulation to the forefront.

It is easy to forget that higher education exists for the people. Colleges and universities are the pinnacle of an established, formalized system that grants recognized credentials (i.e., degrees and certificates) to individuals who have completed regimented programs. A 2018 report from the Gallup-Strada Education Network found that most American citizens identify work and career motivations as their reasons for pursuing higher education (i.e., becoming students or consumers of postsecondary education). The same report claims that location, access, and affordability are the main reasons for choosing a specific college or university.^[2]

By existing in a border state location (e.g., New York-New Jersey-Connecticut), offering programs in highly regulated fields (e.g., nursing, teaching, social work), or offering distance education, institutions may be compounding the regulatory requirements they must meet. Of the nearly 20 million students enrolled in the 2015 fall semester (the most recent statistics available from the National Center for Education Statistics), 29.8% took at least one course at a distance, and more than one in seven (14.4%) took all of their education at a distance.^[3] Federal regulations (which are consistently challenged, delayed, and/or changed) rightfully require institutions to obtain the necessary approvals to offer education to students at a distance, and most state regulatory agencies follow suit.

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