POLICY STATEMENT

Federal State Authorization laws require Florida International University (FIU) to determine student learner locations. The learning location of each student will be initially determined by the information provided by the student of the student’s physical location at the time of enrollment into an educational program and, if applicable, upon formal receipt of information from the student, that the student’s location has changed to another state.

SCOPE

This policy applies to all students regardless of learning modality.

REASON FOR POLICY

Effective July 1, 2020, 34 CFR 600.9(c) and 34 CFR 668.43(c), require institutions to determine the state in which the student is located. In 34 CFR 600.9(c), student location determines the state(s) in which the institutions that offer distance or correspondence education must be authorized. In 34 CFR 668.43(c), student location determines the conditions under which the institution must make professional licensure disclosures.

The purpose of this policy is to comply with Federal Regulations, individual state and international laws, and state authorization reciprocity agreements [e.g., National Council for State Authorization Reciprocity Agreements (NC-SARA)]. The physical location of the student during an educational activity may impact FIU’s authorization to offer online education and experiential learning experiences to that student.

The difference between “location” and “residence” plays an important role in FIU maintaining compliance with several regulations. While residency requirements vary by State, a State’s authorization jurisdiction is based upon the location of the educational activity.
DEFINITIONS

<table>
<thead>
<tr>
<th>TERM</th>
<th>DEFINITIONS</th>
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<tbody>
<tr>
<td>Learner Location</td>
<td>Where a student is physically situated while participating in the university’s educational activity.</td>
</tr>
<tr>
<td>Residence</td>
<td>The state in which a student lives as demonstrated by state law.</td>
</tr>
<tr>
<td>Time of Enrollment</td>
<td>Time of a student’s initial enrollment into a program as opposed to the time of a student’s initial application to the institution.</td>
</tr>
<tr>
<td>State Authorization Reciprocity Agreement</td>
<td>Agreement between two or more States that authorizes an institution located and legally authorized in a State covered by the agreement to provide postsecondary education through distance education or correspondence courses to students located in other States covered by the agreement.</td>
</tr>
<tr>
<td>NC-SARA</td>
<td>National Council for State Authorization Reciprocity Agreement – An agreement among member states, districts, and territories that establishes comparable national standards for interstate offering of postsecondary distance education.</td>
</tr>
<tr>
<td>Educational Activity</td>
<td>Includes but is not limited to online learning, experiential learning, clinicals, practicums, internships, and externships.</td>
</tr>
</tbody>
</table>

ROLES AND RESPONSIBILITIES
The Office of the Registrar is responsible for maintaining student records, including learner location (student address) at the time of enrollment and any changes upon formal receipt of information from the student that his or her location has changed.

RELATED RESOURCES
Federal Regulation [www.govinfo.gov](http://www.govinfo.gov) 34 CFR 600.9(c) and 34 CFR 668.43(c)
NC-SARA Manual [https://nc-sara.org/](https://nc-sara.org/) Sections 5.12(a) and 5.2
Florida SARA Office

CONTACTS
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Miami, FL 33199
305-348-2320

HISTORY
Initial Effective Date: June 11, 2020