

**RULES
OF
THE TENNESSEE HIGHER EDUCATION COMMISSION**

**CHAPTER 1540-01-14
STATE AUTHORIZATION RECIPROCITY AGREEMENT (SARA)**

TABLE OF CONTENTS

1540-01-14-.01	Definitions	1540-01-14-.03	Review of Admission and Renewal
1540-01-14-.02	Applications		Decisions

1540-01-14-.01 DEFINITIONS.

- (1) "Commission" means the Tennessee Higher Education Commission, which has authority to serve as the portal agency;
- (2) "Institution" means an accredited postsecondary degree-granting school, college, university, or other organization;
- (3) "NC-SARA" means the National Council for State Authorization Reciprocity Agreements;
- (4) "Portal agency" means the single agency designated by Tennessee to serve as the interstate point of contact for SARA questions, complaints, and other communications;
- (5) "Provisional admission" or "provisional renewal" means conditional approval of an Institution's participation in SARA that carries additional monitoring conditions;
- (6) "State authorization reciprocity agreement" or "SARA" means the agreement overseen by NC-SARA;
- (7) "SARA governing documents" means the SARA Manual as updated periodically, including documents incorporated therein such as the Interregional Guidelines for the Evaluation of Distance Education and the Unified State Authorization Reciprocity Agreement; the SREB-SARA Guidelines and Procedures as updated periodically; and any document specifying SARA policies and practices that supersedes the SARA Manual or the SREB-SARA Guidelines and Procedures;
- (8) "SREB-SARA" means the Southern Regional Education Board SARA initiative, to include the SARA Director, staff, and Regional Steering Committee; and
- (9) "These rules" means all rules contained in Rule Chapter 1540-01-14.

Authority: T.C.A. §§ 49-7-1503 and 49-7-1504. **Administrative History:** New rule filed March 30, 2021; effective June 28, 2021.

1540-01-14-.02 APPLICATIONS.

- (1) Applications for initial SARA admission and applications for renewal of SARA participation shall be processed, reviewed, and acted upon by Commission staff.
- (2) Once received, Commission staff shall review an application and notify the institution of any required explanations or additional information.
- (3) Once the application file is complete, Commission staff shall either approve or deny the application based on the required standards as stated in the SARA governing documents.

(Rule 1540-01-14-.02, continued)

- (a) Commission staff must approve an application if all requirements as listed in the SARA governing documents are met.
 - (b) Unless discretion is permitted by the SARA governing documents, Commission staff must deny an application if the institution fails to meet the requirements as listed in the SARA governing documents.
 - (c) When discretion is permitted by the SARA governing documents, Commission staff may designate admission or renewal as provisional if it is determined that provisional designation is needed to protect the public interest or is likely to incent future compliance. The terms of provisional admission or renewal shall be consistent with the terms allowed for in the SARA governing documents.
- (4) Commission staff shall provide the institution with written notice of the decision, including the justification for the decision and notice of the review process in these rules.

Authority: T.C.A. §§ 49-7-1504 and 49-7-1507. **Administrative History:** New rules filed March 30, 2021; effective June 28, 2021.

1540-01-14-.03 REVIEW OF ADMISSION AND RENEWAL DECISIONS.

- (1) An institution admitted or renewed provisionally or denied admission may request that the Executive Director of the Commission review the decision of Commission staff.
 - (a) The institution may seek review of the decision by submitting, in writing, specific justification for reversal or modification of Commission staff's decision within ten (10) business days of the decision as provided for in the notice of decision.
 - (b) The Executive Director of the Commission shall review the application file and basis offered for review and render a written notice of determination either upholding, amending, or reversing the decision of Commission staff.
- (2) An institution may appeal the determination of the Executive Director.
 - (a) The institution may appeal the determination by submitting in writing specific justification for reversal or modification of the determination within ten (10) business days of the determination as provided for in the notice of determination.
 - (b) The Commission staff shall request that the Office of the Secretary of State appoint a hearing officer who shall conduct an administrative hearing sitting alone consistent with the provisions of the Uniform Administrative Procedures Act.
- (3) Commission staff may extend the ten (10) business days as provided for in paragraphs (1)(a) and (2)(a) for good cause shown.

Authority: T.C.A. §§ 49-7-1504 and 49-7-1507. **Administrative History:** New rules filed March 30, 2021; effective June 28, 2021.