

October 19, 2011

Mr. Ross Miller  
Director of Accreditation and Regulatory Compliance  
Indiana Commission on Proprietary Education  
302 W Washington St., Room E201  
Indianapolis, IN 46204-2767

Dear Mr. Miller:

I am sure you are aware that in October 2010, the U.S. Department of Education released regulations requiring out of state institutions offering distance education to students within another state to determine if authorization is needed by each state in which the institution is offering distance education.

The Technical College System of Georgia [TCSG](consisting of 25 technical colleges) is a state public system and is supported by taxation from local and state funds from the state of Georgia. All of our 25 technical colleges within the TCSG system are public colleges offering technical certificates of credit to two year degrees. Each technical college has a president and all technical college presidents report to the TCSG Commissioner. The Commissioner reports to the Governor of Georgia and to the Technical College System of Georgia State Board. The State Board of the Technical College System of Georgia is responsible for establishing standards, regulations and policies for the operation of the Technical College System of Georgia.

According to Article 1 General Provisions of Title 570 Indiana Commission on Proprietary Education Sec 1 (2); ( 1 and 2):

“The following shall not be considered to be postsecondary educational institutions subject to the provisions of this chapter [570 IAC 1]: (1) Any educational institution established by law and financed in whole or part by public funds: or (2) Any postsecondary proprietary educational institution approved or regulated by any other state regulatory board, agency or commission”

Please see the following links establishing our board and the Technical College System of Georgia:  
[§ 20-4-10. State Board of the Technical College System of Georgia established; members; officers](#)  
[§ 20-4-14. Technical College System of Georgia established; powers and duties](#)

Please verify that TCSG and its 25 public technical colleges are (exempt) not subject to the provisions of chapter [570 IAC 1] and may teach distance educations to the residents of Indiana without having to apply for authorization.

Your guidance and support is greatly appreciated.

Sincerely,

Robert Keown  
Executive Director  
Georgia Virtual Technical Connection  
404-679-1667

Enclosures (2): Listing of Technical Colleges and addresses with TCSG  
Previous Email Correspondence

cc: Kathy T May  
Academic Services Coordinator  
Georgia Virtual Technical Connection

## May, Kathy

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**From:** May, Kathy  
**Sent:** Friday, September 16, 2011 1:02 PM  
**To:** May, Kathy  
**Subject:** Indiana FW: Out of state distance education regulations

Called....we need to write letter on letterhead state we are system, list colleges and we will get system exemption. State public system, supported by taxation from local and state funds from the state of Georgia

*Kathy T. May*

**Coordinator of Academic Services**  
**Georgia Virtual Technical Connection**  
**1800 Century Place, NE**  
**Atlanta, GA 30345**  
**404.679.1633 (phone)**  
**404.679.1649 (fax)**

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**From:** Miller, Ross [mailto:rmiller@cpe.IN.gov]  
**Sent:** Friday, September 16, 2011 12:01 PM  
**To:** May, Kathy  
**Subject:** RE: Out of state distance education regulations

Ms. May,

Please contact at the phone number listed below.

Regards,

Ross Miller  
Director of Accreditation and Regulatory Compliance  
Indiana Commission on Proprietary Education  
302 W Washington St., Room E201  
Indianapolis, IN 46204-2767  
Phone: (317) 232-1324  
Fax: (317) 233-4219  
E-mail: [rmiller@cpe.in.gov](mailto:rmiller@cpe.in.gov)  
Web: [www.in.gov/cope/](http://www.in.gov/cope/)

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**From:** May, Kathy [mailto:KMay@tcsg.edu]  
**Sent:** Friday, September 16, 2011 10:08 AM  
**To:** Miller, Ross  
**Subject:** Out of state distance education regulations

Dear Sir or Madam

I am sure you are aware that in October 2010, the U.S. Department of Education released regulations requiring out of state institutions offering distance education to students within another state to determine if authorization is needed by each state in which the institution is offering distance education.

In my role as Academic Affairs Coordinator (Georgia Virtual Technical Connection) for the Technical College System of Georgia, I am asking what the public 25 Technical Colleges within the State of Georgia need to do to obtain approval to teach distance education courses in the state of Indiana?

As background, the Technical College System of Georgia (TCSG) consists of **25 public technical colleges** offering technical certificates of credit to two year degrees. Each technical college has a president and all technical college presidents' report to the TCSG Commissioner. The Commissioner reports to the Governor of Georgia and to the Technical College System of Georgia State Board. The State Board of the Technical College System of Georgia is responsible for establishing standards, regulations and policies for the operation of the Technical College System of Georgia. The 25 public technical colleges within the Technical College System of Georgia are supported by taxation from local and state funds from the state of Georgia.

All 25 technical colleges within the state of Georgia are accredited by accrediting agencies recognized by the United States Department of Education. The 25 public technical colleges in Georgia are accredited by either one or two or by both of the accrediting bodies listed below:

- 1) the regional accrediting body the **Commission on Colleges of the Southern Association of Colleges and Schools**
- 2) the national accrediting body the **Council on Occupational Education.**

Please provide me with direction as to the steps necessary to obtain the needed authorization from the state of Indiana or directions on the process to be exempt from authorization as courses/programs are distance education delivery. Please include all associated costs.

I am very interested in the possibility of TCSG obtaining permission from your state on behalf of all of our 25 technical colleges as opposed to each technical college seeking individual approval.

Your help and guidance is most appreciated. I look forward to hearing from you soon.

In reviewing your website's regulations, ARTICLE 1. General Provisions:

(2) POSTSECONDARY PROPRIETARY EDUCATIONAL INSTITUTION. The term means any person doing business in the State by offering to the public, for a tuition, fee or charge, instructional or educational services or training in any technical, professional, mechanical, business or industrial occupation, either in the recipient's home, or at a designated location, or by mail.

The following shall not be considered to be postsecondary educational institutions subject to the provisions of this chapter [570

IAC 1]:

- (1) Any educational institution established by law and financed in whole or part by public funds: or **\*\* TCSG and its colleges is established by law and financed by public funds**
- (2) Any postsecondary proprietary educational institution approved or regulated by any other state regulatory board, agency or commission **\*\* TCSG and its colleges are regulated by the State Board of the Technical College System of Georgia**

**Does this means TCSG and its 25 public technical colleges are not subject to the provisions of chapter [570 IAC 1] and may teach distance educations to the residents of Indiana without having to apply for exemption or authorization?**

Your help guidance is greatly appreciated.

Sincerely

*Kathy T. May*

Coordinator of Academic Services  
Georgia Virtual Technical Connection  
1800 Century Place, NE

**Atlanta, GA 30345**  
**404.679.1633 (phone)**  
**404.679.1649 (fax)**