

May, Kathy

From: May, Kathy
Sent: Thursday, October 20, 2011 2:18 PM
To: 'njche.acad.affairs@che.state.nj.us'
Subject: FW: Out of State Distance Education State Regulations - New Jersey
Attachments: Complete New Jersey - Physical Presence.xls

Please find the Excel attachment where I polled each of our technical colleges to see if a college had a physical presence in New Jersey.

Please advise what my next step should be to ensure the 25 technical colleges within the Technical College System of Georgia meet any licensure requirements of the state of New Jersey in teaching distance education courses to New Jersey residents.

Your guidance and help is appreciated.

Kathy T. May

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From: May, Kathy
Sent: Monday, October 17, 2011 10:20 AM
To: 'njche.acad.affairs@che.state.nj.us'
Subject: Out of State Distance Education State Regulations - New Jersey

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 New Jersey?

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 New Jersey or directions on the process to be exempt from authorization as courses/programs are distance education delivery. Please include all associated costs.

I understand from my research that the need for licensure may be determined by physical presence. According to:
NEW JERSEY ADMINISTRATIVE CODE
TITLE 9A - HIGHER EDUCATION
New Jersey Commission on Higher Education
CHAPTER 1. LICENSURE RULES
(amendments effective 7/28/08)

Physical presence is defined as:

“Physical presence” means that an entity offers credit-bearing courses from or conducts some portion of the learning experience at a location established in New Jersey by the entity, whether established directly or under the auspices of another entity or an institution. “

I am in the process of verifying that none of the 25 public technical colleges within the Technical College System of Georgia have a physical presence in New Jersey. Once this is verified, please let me know what else is needed. 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.

Please see the following links and the attached file listing our technical colleges:

[§ 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](#)

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

Kathy T. May

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